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A HISTORY

OF

ENGLAND

FROM THE FIRST

INVASION BY THE ROMANS

BY

JOHN LINGARD, D.D.

VOLUME II.

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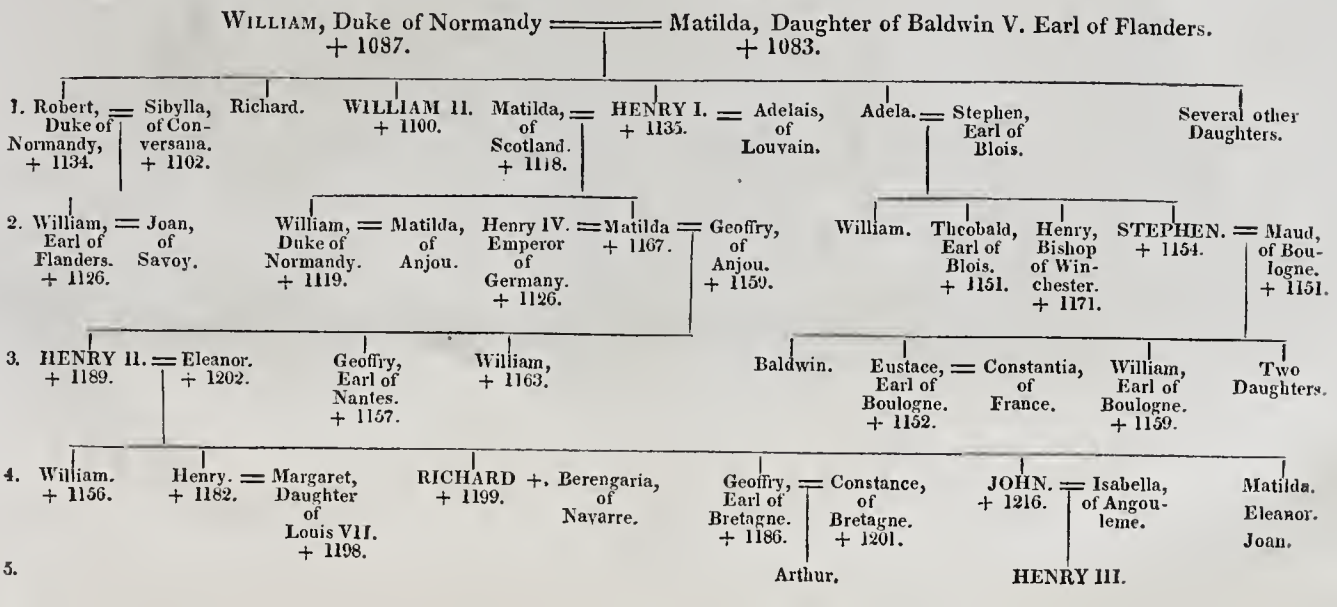
WILLIAM I.

CONTEMPORARY PRINCES.

Emperor of Germany.	*King of Scotland.*	*King of France.*	*Kings of Spain.*	*Popes.*
HENRY IV.	MALCOLM III.	PHILIP I.	SANCHO II. died in 1073. ALPHONSO VI.	ALEXANDER II. died in 1073. GREGORY VII. . . . . 1085. VICTOR III. . . . . 1087.



HISTORY

OF

ENGLAND.

CHAP. I.

WILLIAM I.

SURNAMED THE CONQUEROR.

WILLIAM IS CROWNED—RETURNS TO NORMANDY—INSURRECTIONS—TOTAL SUBJUGATION OF THE KINGDOM—DEPRESSION OF THE NATIVES—KNIGHTS' FEES—INCIDENTS OF MILITARY TENURES—INNOVATIONS IN JUDICIAL PROCEEDINGS—DOMESDAY—KING'S REVENUE—INSURRECTION OF NORMAN BARONS—REBELLION OF ROBERT, THE KING'S SON—WAR WITH FRANCE—WILLIAM'S DEATH—AND CHARACTER.

CHAP. I.

Settlement of the Normans in Gaul.

AMONG the most formidable of the sea-kings in the beginning of the tenth century was Rollo, who, from his activity, had acquired the surname of "the ganger." The north of France was the theatre of his exploits: and the maritime provinces which had already been ravaged by Hastings, were laid desolate by the repeated invasions of this restless barbarian. But the man, before whom so many armies had fled, was subdued by the zeal, or the eloquence, of an

CHAP. I.

ecclesiastic. In 912, Franco, the archbishop of Rouen, persuaded him to embrace the faith of the gospel, and to acknowledge himself the vassal of the French crown. As the price of his acquiescence he received the hand of Gisla, the daughter of Charles the simple, and with her that extensive tract of land, which is bounded by the ocean, the river Epte, and the two provinces of Maine and Bretagne. From its new settlers this territory acquired the appellation of Normandy, or the land of the Northmen.

Rollo left his dominions to his posterity, a race of able and fortunate princes, who assumed indifferently the titles of earl, or marquess, or duke. The necessity of cultivating a desert introduced habits of industry and subordination among the colonists. Their numbers were repeatedly multiplied by the accession of new adventurers; and that spirit of enterprise and contempt of danger which had distinguished their fathers in the pursuit of plunder, soon enabled them to reach, and even to outstrip their neighbours in the career of civilization. For their rapid improvement they owed much to the wisdom and justice of their princes: still more to the influence of religion, which softened the ferocity of their manners, impelled them to cultivate the useful and ornamental arts, and opened to their curiosity the stores of ancient literature. Within less than one hundred and fifty years from the baptism of Rollo, the Nor-

CHAP. I.

mans were ranked among the most polished, as well as the most warlike, nations of Europe.

The fifth in succession from Rollo was Robert II., who contributed to restore to his throne Henry, king of France, and received from the gratitude of that monarch the Vexin as an addition to his patrimonial dominions. In the eighth year of his government, curiosity or devotion induced him to undertake a pilgrimage to the holy land. His reputation had gone before him. In every country he was received with respect: at Constantinople the Grecian emperor paid him distinguished honours: and on his approach to Jerusalem the gates of the city were gratuitously thrown open by the command of the emir. But his constitution sank under the fatigues of the journey, and the heat of the climate. He died on his return at Nice in Bythinia.

Birth of William. 1027.

To Robert, in the year 1027, Herleva, the daughter of an officer of his household, had brought an illegitimate son, William, afterwards duke of Normandy, and king of England. This child strongly interested the affection of his father; who, before his departure, in an assembly of the barons at Fescamp prevailed on them to acknowledge him for heir apparent to the duchy. The earl Gilbert was appointed his guardian; and the king of France solemnly engaged to protect the rights of his orphan vassal. But the guardian was slain: the interests of William were neglected: and his dominions,

CHAP. I.

during the time of his minority, exhibit one continued scene of anarchy and bloodshed, originating in the lawless violence, and conflicting rapacity of the barons. At the age of nineteen William first took the field, to support his claim to the succession against the legitimate descendants of Richard II. the father of Robert: and with the aid of Henry defeated, in the valley of Dunes, Guy of Burgundy, his most formidable competitor. But during the campaign the French king learned to fear the growing abilities of his pupil. He turned his arms against the young prince, joined his forces to those of William of Arques, a second pretender to the dukedom, and afterwards on two occasions marched a numerous army into Normandy to the assistance of different insurgents. But the activity and bravery of William baffled all the efforts, and at last extorted the respect, of his adversaries: his alliance was courted by the neighbouring princes: Baldwin of Flanders gave him his daughter Matilda in marriage: and when he undertook the invasion of England, he was universally considered as one of the boldest knights, and most enterprising sovereigns, in christendom.[1]

William marches to Dover. 1066.

The progress of that invasion, from its origin to the battle of Senlac, has been related in the preceding chapter. From Senlac William re-

[1] Guil. Pict. 40—104. Ed. Maseres.

CHAP. I.

turned to Hastings. He had fondly persuaded himself that the campaign was terminated; and that the natives, disheartened by the fall of their king, and the defeat of their army, would hasten to offer him the crown.[2] A few days dissipated the illusion. London was put in a state of defence by the industry of the citizens; the inhabitants of Romney repulsed a division of the Norman fleet, which attempted to enter the harbour; and a numerous force, which had assembled at Dover, threatened to act on the rear of the invaders, if they proceeded towards the capital. The first object of William was to disperse the latter; and in his march he severely chastised the town of Romney. The force at Dover melted away at his approach; and the fears of the garrison induced them to offer him the keys of the place.[3]

And to London.

This acquisition was an invaluable advantage to the Normans. The dysentery prevailed to an alarming degree in the army; and the castle of Dover, which at that time was deemed impregnable, offered a secure asylum for the multitude of the sick. Eight days were employed in adding to its means of defence, and in repairing the

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[2] Chron. Lamb. ad ann. 1066.

[3] Pict. 137, 138. He thus describes the castle of Dover. Situm est id castellum in rupe mari contigua, quæ naturaliter acuta, undique ad hoc ferramentis elaborate incisa, in speciem muri directissima altitudine, quantum sagittæ jactus permetiri potest, consurgit, quo in latere unda marina alluitur.

CHAP. I.

damages caused by an undisciplined soldiery, who, in defiance of their leader, had set fire to the town, that during the confusion they might plunder the inhabitants. At length, having supplied his losses by reinforcements from Normandy, the conqueror commenced his march in the direction of London. By some writers we are gravely told, that during his progress, he saw himself gradually enveloped by what bore the appearance of a moving forest: that on a sudden the branches, which had been taken for trees, fell to the ground, and in their fall disclosed a host of archers with their bows ready bent, and their arrows directed against the invaders: that Stigand, archbishop of Canterbury, and Egelnoth, abbot of St. Augustines, advancing from the crowd, demanded for the men of Kent the confirmation of their ancient laws and immunities; and that the demand was readily granted by the fears of the astonished Norman.[4] This story is the fiction of later ages, and was unknown to the more ancient writers, from whom we learn that, on his departure from Dover, William was met by the inhabitants of Kent with offers of submission, and received from them hostages as a security for their obedience.[5]

Edgar appointed King.

The witan had assembled in London imme-

[4] Thorn. 1786. [5] Occurrunt ultro Cantuarii haud procul a Dovera, jurant fidelitatem, dant obsides.—Pict. 138. He was with the army at the time.

diately after the death of Harold. The population of this capital was numerous and warlike; and the number of its defenders had been increased by the thanes of the neighbouring counties. By their unanimous choice, the etheling Edgar, the rightful claimant, was placed on the throne. But Edgar was young, and devoid of abilities; the first place in the council devolved on Stigand the metropolitan; and the direction of the military operations was committed to the two powerful earls, Edwin and Morcar. Their first effort was unsuccessful; and the confidence of the citizens was shaken by the feeble resistance which a numerous body of natives had opposed to an inferior force of five hundred Norman horse. William contented himself with burning the suburbs; he was unwilling or afraid to storm the walls; and resolved to punish his opponents by destroying their property in the open country. Leaving London, he spread his army over the counties of Surrey, Sussex, Hampshire, and Berkshire. Every thing valuable was plundered by the soldiers; and what they could not carry away, was committed to the flames.

But submits to William.

In the meantime mistrust and disunion reigned among the advisers of Edgar. Every new misfortune was attributed to the incapacity or the treachery of the leaders. It was even whispered that Edwin and Morcar sought not so much the liberation of their country, as the transfer of the crown from Edgar to one of

CHAP. I.

themselves. The two earls left the city; and their departure, instead of lessening, augmented the general consternation. The first who threw himself on the mercy of the conqueror was Stigand, who met William as he crossed the Thames at Wallingford, swore fealty to him as to his sovereign, and was received with the flattering appellation of father and bishop. His defection was followed by that of others: and the determination of those who wavered, was accelerated by the rapidity with which the Norman pursued his plan. Buckinghamshire, and part of the county of Hertford, had been already laid waste, when a deputation arrived, consisting of Edgar, Edwin, and Morcar, on the part of the nobility, of the archbishop of York, and the bishops of Worcester and Hereford on that of the clergy, and of the principal citizens of London in the name of their fellows. At Berkhamstead they swore allegiance to the conqueror, gave hostages, and made him an offer of the crown. He affected to pause: nor did he formally accept the proposal till the Norman barons had ratified it by their applause. He then appointed for his coronation the approaching festival of Christmas.[6]

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[6] I am aware that this account is very different from that which is generally given, in which Stigand appears to act the part of a patriot, and the success of William is attributed to the influence of the bishops, unwilling to offend the pope. But for all this there is no other authority than the mere assertion of Malmsbury, that after the

CHAP. I.

Tumult at the king's coronation, Dec. 25.

The Normans, proud of their superior civilization, treated the natives as barbarians.[7] William placed no reliance on their oaths, and took every precaution against their hostility. But most he feared the inhabitants of London, a population brave, mutinous, and confident in its numbers. Before he would expose his person among them, he ordered the house, which he was to occupy, to be surrounded with military defences; and on the day of his coronation in Westminster abbey, stationed in the neighbourhood a numerous division of his army. As Stigand had been suspended, the ceremony was performed by Aldred, archbishop of York; and that prelate put the question to the English, the bishop of Constance to the Normans, whether they were willing that William should be their sovereign. Both nations expressed their assent with loud acclamations: and at the same moment, as if at a preconcerted signal, the troops in the precincts of the abbey set fire to the nearest houses, and began to plunder the city. The tumult within the church, was

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departure of Edwin and Morcar, the other nobles would have chosen Edgar, if the bishops had seconded them. Cæteri Edgarum eligerent, si episcopos assertatores haberent (Malm. f. 57). The narrative in the text is founded on the testimony of Pictaviensis (p. 141), Orderic (p. 187), the Chronicon Lambardi (ad ann. 1066), Malmsbury (De Pont. i. f. 116), and the ancient writer quoted by Simeon (col. 195), Florence (p. 634), and Hoveden (f. 258).

[7] Pictaviensis terms them without ceremony feri ac barbari, p. 150—153.

CHAP. I.

not exceeded by that without. The Normans pictured to themselves a general rising of the inhabitants: the natives imagined that they had been drawn together as victims destined for slaughter. William, though he trembled for his life, refused to interrupt the ceremony. In a short time he was left with none but the prelates and clergy at the foot of the altar. The English, both men and women, had fled to provide for their own safety: and of the Normans some had hastened to extinguish the flames, the others to share in the plunder.[8] The service was completed with precipitation: and the conqueror took the usual oath of the Anglo-Saxon kings, with this addition, that he would govern as justly as the best of his predecessors.[9]

Its cause.

To William, who sought to reconcile the two nations, this unfortunate occurrence was a subject of deep regret. It inflamed all those jealousies and resentments which it was his aim to extinguish, and taught the natives to look upon their conquerors as perfidious and implacable enemies. To apologize for the misconduct of the Normans it was alleged, that the acclamations of loyalty in the church had been mistaken by the guard for shouts of insurrection. But in that case, it was asked, why did they not fly to the defence of the king?

[8] Pict. p. 144, 145. Orderic, p. 189.

[9] Chron. Lamb. ad ann. 1066. Flor. p. 634.

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Why did they pretend to put down a rising in one quarter, by exciting a conflagration in another? There can be little doubt that the outrage was designed, and that it originated in the love of plunder. At Dover the Normans, though under the very eye of their leader, could not be restrained from pillage: at London the superior opulence of the citizens offered irresistible attractions to their rapacity. This suspicion is confirmed by the subsequent conduct of the king. He assembled his barons, and admonished them, that by oppression they would drive the natives to rebellion, and bring indelible disgrace on themselves and their country. For the rest of the army he published numerous regulations. The frequenting of taverns was prohibited: the honour of the females was protected by the severest penalties: and proportionate punishments were affixed to every species of insult, rapine, and assault. Nor were these orders suffered to evaporate in impotent menaces; commissioners were appointed to carry them into effect.[10]

His kind behaviour to the English. 1067.

William had hitherto been called "the bastard:"[11] from this period he received the surname of "the conqueror:" a term, which in

[10] Pict. 149. He adds: Etiam illa delicta quæ fierent consensu impudicarum, infamiæ prohibendæ causa vetabantur. Ibid. — Orderic, p. 195.

[11] It was not deemed a term of reproach. William gave it to himself in many of his letters. Ego Willielmus cognomento bastardus. See Spelman, Archaiol. 77.

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the language of the age did not necessarily involve the idea of subjugation, but was indifferently employed to designate a person who had *sought* and obtained his right. In this sense it coincided with the policy of the new king, who affected to owe his crown not to the power of his arms, but to the nomination of Edward, and the choice of the natives. He has been represented as of a temper reserved and morose, more inclined to acts of severity than of kindness: but if such were his natural disposition, he had the art to conceal, or the resolution to subdue it. All the first measures of his reign tended to allay the animosity, and to win the affections, of the English. No change was attempted in their laws or customs, but what the existing circumstances imperiously required. The citizens of London obtained a grant of new and valuable privileges: and the most decisive measures were employed to put down the bands of robbers, which began to infest the country. In the collection of the royal revenue the officers received orders to avoid all unauthorized exactions, and to exercise their duty with lenity and moderation. For the protection of trade the king's peace was granted to every traveller on the highway, and to every merchant and his servants resorting to any port or market. Access to the royal presence was refused to no one. William listened graciously to the complaints of the peo-

ple; heard their causes in person; and, though his decisions were directed by the principles of justice, was careful to temper them with feelings of mercy. From London he retired to Barking, where his court was attended by crowds of English thanes. At their request he received their homage: and in return granted to all the confirmation, to several an augmentation, of their estates and honours.[12] But nothing was more grateful to the national feelings than the attention which he paid to the etheling Edgar. To console the prince for the loss of that crown to which he was intitled by his birth, he admitted him into the number of his intimate friends, and bestowed on him an extensive property, not unfitting the last descendant of an ancient race of kings. From Barking he made a progress through the neighbouring counties. His route was distinguished by the numerous benefits, which he scattered around him: and his affability and condescension to the spectators proved how anxious he was to procure their favour and to merit their esteem.[13]

And rewards to his officers

The constitution of the feudal armies was ill adapted to the preservation of distant con-

[12] Pictaviensis mentions by name Edgar, Edwin, Morcar, and Coxo, quem singulari et fortitudine et probitate regi et optimo cuique Normanno placuisse audivimus, p. 150. Orderic adds Turchil de Limis, Siward and Aldred, the sons of Ethelgar pronepotis regis, Edric the wild, the grandson or nephew of Edric the infamous, and many other noblemen, p. 195.

[13] Pict. 150. Orderic, 194—196.

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quests. The duration of their service was limited to a short period; and William was aware that, at the expiration of the term, his followers would expect to be discharged, and re-conveyed to their own country. It was, however, manifest that the obedience of the natives could be secured only by a strong military force. At the king's solicitation several chieftains consented to remain with their retainers, and their compliance was rewarded with grants of valuable estates, to be holden by the tenure of military service. Whence the donations were made, whether from the royal demesnes, or from the lands of those who fell at the battle of Senlac, is uncertain: but we are told that the transaction was conducted according to the strict rules of justice, and that no Englishman could reasonably complain that he had been despoiled to aggrandize a Norman.[14]

This force was distributed among the more populous towns and districts. Wherever the king placed a garrison, he erected a fortress for

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[14] Pict. 150. At the same time he ordered the foundations of a monastery to be laid on the spot, where he gained the victory over Harold: from which circumstance it was called Battle abbey. As it was there that he won the crown, he wished the new establishment to enjoy all the privileges of the royal chapel: and having obtained the consent of the metropolitan and of the bishop of the diocese, declared it in a full assembly of prelates and barons exempt from "all episcopal rule and exaction." It became, in the language of later times, nullius diocesis. See the charter, Brady, ii. app. p. 15.

its protection. But London and Winchester were the chief objects of his solicitude. He would not leave Barking, till a castle had been completed in London, probably on the very site which is now occupied by the Tower: and the care of raising a similar structure at Winchester was intrusted to the vigilance of Fitz-Osbern, the bravest and most favoured of his officers. "For that city," says his biographer, "is noble and powerful, inhabited by a race of "men opulent, fearless, and perfidious."[15] Yet, if we recollect that these Norman castles were built in the short space of three months, and that too in the depth of winter, we must consider them as little better than temporary defences, which had been hastily erected in favourable situations.

The king returns to Normandy.

Some writers have indulged in speculation on the motives which could have induced William, immediately after these arrangements, to quit the kingdom which he had so recently acquired, and to revisit his patrimonial dominions. It has been supposed that his real but secret object was the ruin of the English nobility. While he was present, their obedience excluded every decent pretext of spoliation: but during his absence they might be goaded to arms by the oppression of his officers, and at his return he might with apparent justice punish their rebellion, and satisfy his own rapacity

[15] Id. 151.

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and that of his barons. Such indeed was the result: but we often attribute to policy events, which no deliberation has prepared, and which no foresight could have divined. There is nothing in the ancient writers to warrant a supposition, so disgraceful to the character of William. The men of Normandy were anxious to welcome their victorious sovereign: they had repeatedly importuned him to return: and vanity might prompt him to grant their request, and to exhibit himself with the pomp of a king among those, whom he had hitherto governed with the inferior title of duke. In the month of March he collected his army on the beach near Pevensey; distributed to each man a liberal donative, and embarked with a prosperous wind for the coast of Normandy. He was received by his countrymen with enthusiastic joy: wherever he proceeded, the pursuits of commerce and agriculture were suspended: and the solemn fast of Lent was universally transformed into a season of festivity and merriment. In his train followed, not only the Norman barons, the faithful companions of his victory, but also many English thanes and prelates, the proudest ornaments of his triumph. The latter appeared in the honourable station of attendants on the king of England; in reality they were captives, retained as securities for the fidelity of their countrymen.[16] We are told that they attracted

[16] They were Stigand, archbishop of Canterbury, Egelnoth, ab-

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the admiration of the spectators, among whom were many French noblemen whom curiosity had drawn to the Norman court. In their persons the English were thought to exhibit the elegance of female beauty. Their hair (long hair was a mark of birth with the northern nations) flowed in ringlets on their shoulders: and their mantles of the richest silks were ornamented with the profusion of oriental magnificence.[17] To enhance in the eyes of his guests and subjects the value of his conquests, William displayed before them the treasures which he had either acquired as plunder after the battle, or received at his coronation as presents. Of these a considerable portion, with the golden banner of Harold, was destined for the acceptance of the pope: the remainder was distributed among the churches of Normandy and the neighbouring provinces. The remark of the continental historian, on this occasion, will amuse, perhaps surprise, the reader. Speaking of the riches brought from England, he says, "that land far surpasses the Gauls in abund-"ance of the precious metals. If in fertility "it may be termed the granary of Ceres, in "riches it should be called the treasury of

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bot of St. Augustine's, Edgar the etheling, Edwin, earl of Mercia, Morcar, earl of Northumbria, Waltheof, earl of Northampton and Huntingdon, and "complures alii altæ nobilitatis." Pict. 153. Order. 197.

[17] Nec enim puellari venustati cedebant. Pict. 161: Miræ pulchritudinis. Order. 197.

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" Arabia. The English women excel in the " use of the needle, and in the embroidery of " gold: the men in every species of elegant " workmanship. Moreover the best artists of " Germany reside among them: and merchants " import into the island the most valuable spe- " cimens of foreign manufacture."[18] By exaggerating the advantages of the country, Pictaviensis may perhaps have sought to add to the fame of its conqueror: but one part of his description is fully supported by other evidence. The superiority of the English artists was so generally acknowledged, that articles of delicate workmanship in embroidery, or in the precious metals, were usually denominated by the other European nations " opera Anglica," or English work.[19]

The regents, Odo,

During his absence the king had intrusted the reins of government to William Fitz-Osbern, and Odo, bishop of Bayeux. Odo was his uterine brother, the son of Herleva by her husband Herluin.[20] The favour of William had promoted him at an early age to the see of Bayeux: and he soon displayed extraordinary abilities both in the

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[18] Pict. 157, 158. He appears to have been astonished at the wealth of the English. He calls them Filios Anglorum tam stemmatis quam opum dignitate reges appellandos. Ibid.

[19] Leo Marsicanus apud Muratori, Antiq. Med. ævi, diss. lviii.

[20] Herleva married Herluin after the death of Robert. Her children by this marriage were Robert, earl of Mortagne, Odo, bishop of Bayeux, and a daughter, countess of Albemarle. Will. Gem. vii. 3. viii. 37.

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administration of his diocese, and in the councils of his sovereign. He possessed a splendid revenue, and spent it in a splendid manner, in beautifying his episcopal city, and in rewarding the services of his retainers. In obedience to the canons he forbore to carry arms: but he constantly attended his brother in battle, and assisted with his advice in every military enterprise. "He was," says a historian, who had probably shared in his bounty, "a prelate of "such rare and noble qualities, that the Eng- "lish, barbarians as they were, could not but "love him and fear him."[21] On the other hand we are assured by another Norman, but a less partial writer, that his character was a compound of vice and virtue: and that, instead of attending to the duties of his station, he made riches and power the principal objects of his pursuit.[22]

and Fitz-Osbern.

To Odo had been assigned the government of Kent: the inhabitants of which, from their frequent intercourse with the continent, were deemed less savage than the generality of their countrymen.[23] The remainder of the kingdom was committed to the vigilance of Fitz-Osbern, a Norman baron, related on the mother's side to the ducal family. William and he had grown up together from their infancy: and the attachment of their childish years had been afterwards strengthened by mutual services. In

[21] Pict. 153.
[22] Orderic, 255.
[23] Unde a minus feris hominibus incolitur. Pict. 152.

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every civil commotion Fitz-Osborn had supported his sovereign: to his influence was attributed the determination of William to invade England: and to the praise of consummate wisdom in the cabinet he added that of unrivalled courage in the field. He was considered as the pride of the Normans and the scourge of the English.[24]

Insurrections.

The previous merits of these ministers must be received on the word of their panegyrist: but their subsequent conduct does not appear to merit the confidence which was reposed in them by their sovereign: and to their arrogance and rapacity should be attributed the insurrections, forfeitures, and massacres, which so long afflicted this unhappy country, and which at last reduced the natives to a state of beggary and servitude. As soon as they entered on their high office, they departed from the system of conciliation, which the king had adopted; and assumed the lofty mien, and the arrogant manners of conquerors. The complaints of the injured were despised: aggression was encouraged by impunity; and the different garrisons insulted the persons, abused the wives and daughters, and rioted at free quarters on the property, of their neighbours.[25] The refusal of redress awakened the indignation of the English: and, in this moment of national effervescence, if an individual had appeared able to combine and

[24] Pict. 151.

[25] Orderic, 203.

direct the general hostility, the Norman ascendancy would probably have been suppressed. But the principal chieftains were absent: and the measures of the insurgents, without system or connexion, were the mere result of sudden irritation, and better calculated for the purpose of present revenge than of permanent deliverance. Neither were the natives unanimous. Numbers attended more to the suggestions of selfishness than of patriotism: the archbishop of York and several of the prelates, many thanes, who had hitherto been undisturbed, and the inhabitants of most of the towns, whose prosperity depended on the public tranquillity, remained quiet spectators of the confusion around them. Some even lent their aid to put down the insurgents.[26]

Murder of earl Copsi.

Among the stanchest friends of the Normans was Copsi or Coxo, a thane who under Edward had governed Northumbria as the deputy of Tostig. With the title of earl, William had intrusted to his fidelity the government of the whole country to the north of the Tyne; nor was Copsi faithless or ungrateful to his benefactor. It was in vain that his retainers exhorted him to throw off the yoke of the foreigners. For a long time they wavered between their attachment to their lord, and their attachment to their country. The latter prevailed: and Copsi fell by the swords of his vassals. By William

[26] Orderic, 206.

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his death was lamented as a calamity: by the Norman writers he is described as the most virtuous of the English.[27]

Edric ravages Hereford.

In the west the conqueror had bestowed on Fitz-Osbern the earldom of Hereford. Edric the wild, or the savage,[28] whose possessions lay in that county, refused to acknowledge his authority. As often as the Normans attempted to enforce obedience, he repulsed them with loss: and as soon as the king had left England, called to his aid Blethgent and Rithwatlan, princes of the Britons. Their united forces shut up the enemy within their fortress, while they ravaged with impunity the western division of the county, as far as the river Lug.[29]

Eustace attacks Dover.

In the east the people of Kent solicited the support of Eustace, count of Boulogne. That nobleman had quarrelled with William: a court of Norman barons and English thanes had decided in favour of the king: and Eustace had left the island in sullen discontent. At the invitation of the insurgents, he unexpectedly

[27] Simeon, Hist. Dunel. iii. 14. Pict. 164. Orderic, 206. The native writers give a more circumstantial, and probably more accurate, account of his death. Osulf had enjoyed the same appointment from the gift of Morcar, but had been compelled by the Normans to surrender it to Copsi. Five weeks afterwards, on the 12th of March, he surprised his competitor in Newburn. Copsi ran to the church, which was set on fire. The flames drove him to the door, where he was cut down by Osulf. Sim. 204. Hoved. 243.

[28] Cognomento Guilda, id est silvaticus. Orderic, 195. From silvaticus the French formed the word sauvage.

[29] Simeon, 197. Flor. 635.

crossed the channel; and a combined attack was made on the castle of Dover at a time when the larger portion of the garrison was absent. Unfortunately a panic seized the assailants, and they fled before a handful of men. Eustace reached his ships, though most of his followers were taken: by their more perfect knowledge of the roads the natives escaped from the paucity of their pursuers.[30]

English exiles at Constantinople.

These desultory conflicts might indeed harass the Normans, but they contributed little to prevent the entire subjugation of the country, or to promote the great cause of independence. The more prudent reserved their efforts for a fairer prospect of success; and deputies were sent to Denmark to offer to Sveno Tiuffveskeg, a crown which had been already worn by two of his predecessors, Canute and Hardecanute. In the meanwhile a body of natives, impatient under the yoke, adopted a plan which wears the appearance of romance. They bade adieu to their country, sailed to the Mediterranean, and ultimately offered their services to the emperor Alexius. By him they were settled at Chevetot beyond the strait, and afterwards transferred to Constantinople, that they might assist in repelling the incursions of their common enemy, the Normans. For, while the princes of that nation laboured to extend the limits of their dominions

[30] Pict. 163. Orderic, 205.

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at the expense of their neighbours, a few private adventurers had founded in the south of Italy a powerful kingdom. It was now ruled by Robert the Guiscard, the sixth of the twelve sons of Tancred of Hauteville, who, after establishing himself in Calabria, had, at the death of his eldest brother, been chosen also count of Apulia. His daughter had been betrothed to Constantine the heir of the emperor Michael: and when Alexius assumed the purple, Robert declared war against the usurper. The English exiles fought under the imperial banner in every action from the siege of Durazzo to the final retreat of the Normans from the walls of Larissa. At Castorio three hundred of their number were killed or taken. The remainder received for their residence a palace within the imperial city: their posterity for many generations served in the body guard of the emperors: and at the fall of Constantinople, in the thirteenth century, the Ingloi with the battle-axes of their ancestors, added to a body of Danes, formed the principal force, which the eastern successors of Augustus could oppose to the torrent of the crusaders.[31]

The king returns, Dec. 6.

The mind of William was exasperated by frequent messages from Odo and Fitz-Osbern: and he returned to England in December with a secret resolution to crush by severity a people,

[31] Orderic, 204. Anna Comnena, Alex. v. Villehardouin, lxxxix.

whom he could not win by kindness. During the Christmas holidays the English thanes waited on their sovereign. He embraced them as friends, inquired into their grievances, and granted their requests. But his hostility pierced through the veil which he had thrown over it: and the imposition of a most grievous tax awakened well-founded apprehensions.[32] Though the spirit of resistance, which had so much annoyed his deputies, seemed to disappear at his arrival, it still lingered in the northern and western extremities of the kingdom. Exeter from the time of Athelstan had gradually risen into a populous city: it was surrounded with a wall of considerable strength: and the inhabitants were animated with the most deadly hatred against the invaders. A band of mercenaries on board a small squadron of Norman ships, which was driven by a tempest into the harbour, had been treated with cruelty and scorn by the populace. Sensible of their danger the burgesses made preparations for a siege; raised turrets and battlements on the walls; and dispatched emissaries to excite a similar spirit in other towns. When William sent to require their oaths of fealty, and the admission of a garrison into the city, they returned a peremptory refusal: but at the same time expressed a willingness to pay him the dues, and to perform the

1068.

Reduces Exeter.

[32] Alur. Bev. 127.

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services which had been exacted by their native monarchs. The conqueror was not accustomed to submit to conditions dictated by his subjects: he raised a numerous force, of which a great portion consisted of Englishmen; and marched with a resolution to inflict severe vengeance on the rebels. At some distance he was met by the magistrates, who implored his clemency, proffered the submission of the inhabitants, and gave hostages for their fidelity. With five hundred horse he approached one of the gates. To his astonishment it was barred against him; and a crowd of combatants bade him defiance from the walls. In was in vain that, to intimidate them, he ordered one of the hostages to be deprived of his eyes. The siege lasted eighteen days; and the royalists suffered severe loss in different assaults. The citizens at last submitted, but on conditions which could hardly have been anticipated. They took indeed the oath of allegiance, and admitted a garrison: but their lives, property, and immunities were secured; and to prevent the opportunity of plunder, the besieging army was removed from the vicinity of the gates.[33] Having pacified Cornwall, the king returned to Winchester, and sent for the duchess Matilda to England. She was crowned at the ensuing festival of Whitsuntide.

But the presence of William was now re-

[33] Compare Orderic (p. 210, 211,) with the Chronicon Lombardi (ad ann. 1067).

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quired in the North. No Englishman had rendered him more important services than Edwin, whose influence had induced one third of the kingdom to admit his authority. The Norman, in the warmth of his gratitude, promised the earl his daughter in marriage: an engagement which he refused to fulfil as soon as he felt himself secure upon the throne. Inflamed with resentment, Edwin flew to arms: the spirit of resistance was diffused from the heart of Mercia to the confines of Scotland: and even the citizens of York, in opposition to the intreaties and predictions of their archbishop, rose in the sacred cause of independence. Yet this mighty insurrection served only to confirm the power of the Norman, whose vigilance anticipated the designs of his enemies. Edwin and Morcar were surprised before they were prepared: and their submission was received with a promise of forgiveness, and a resolution of vengeance. York opened its gates to the conqueror: Archil, a powerful Northumbrian, and Egelwin, bishop of Durham, hastened to offer him their homage: and Malcolm, the king of Scotland, who had prepared to assist the insurgents, swore by his deputies to do faithful service to William. During this expedition and in his return, the king fortified castles at Warwick, Nottingham, York, Lincoln, Huntingdon, and Cambridge.[34]

Edwin rebels.

Submits.

[34] Orderic, 213—217. Chron. Lamb. ad ann. 1067.

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Githa escapes.

In the spring of the same year, Githa the mother of Harold, and several ladies of noble birth, fearing the rapacity and the brutality of the Normans, escaped with all their treasures from Exeter, and concealed themselves for a while in one of the little isles of Stepholme and Flatholme in the mouth of the Severn.[35] Thence they sailed for the coast of Flanders: and eluding the notice or frustrating the pursuit of their enemies, found a secure retreat at St. Omer. Githa's grandsons, Godwin, Edmund, and Magnus, the children of the unfortunate Harold, had obtained a protector in Dermot, king of Leinster; and, to revenge the sufferings of their family, landed with a body of men in the mouth of the Avon, made an unsuccessful attempt on Bristol, killed Ednoth an opponent in Somersetshire, and after ravaging the counties of Devon and Cornwall, returned in safety to Ireland.[36]

Edgar in Scotland.

A more illustrious fugitive was the etheling Edgar, who undertook to convey his mother Agatha, with his sisters Margaret and Christina, to Hungary, their native country. But a storm drove them into the Frith of Forth: and Mal-

[35] Orderic. 221. Chron. Lamb. ibid.—Githa had seven sons by the great earl Godwin. The reader has already seen the premature fate of five, Sweyn, Tosti, Harold, Gurth, and Leofwin. Alfgar after the conquest became a monk at Rheims in Champagne; Wulfnoth, so long the prisoner of William, only obtained his liberty to embrace the same profession at Salisbury. Orderic, 186.

[36] Chron. Lamb. ibid. Flor. 635.

colm, who had formerly been a wanderer in England, hastened to receive them, conducted them to his castle of Dunfermline, and by the attention which he paid to the royal exiles, endeavoured to evince his gratitude for the protection which in similar circumstances he had experienced from their relative Edward the confessor.[37]

Massacre at Durham. 1069.

William's late expedition to York had produced only a delusive appearance of tranquillity. The spirit of resistance was still alive: and, if the royal authority was obeyed in the neighbourhood of the different garrisons, in the open country it was held at defiance. In several districts the glens and forests swarmed with voluntary fugitives, who, disdaining to crouch beneath a foreign yoke, had abandoned their habitations, and supported themselves by the plunder of the Normans and royalists.[38] After the death of Copsi, the king had sold his earldom to Cospatric, a noble thane:[39] but now he transferred it to a more trusty officer, Robert de Cumin, who, with five or seven hundred horse, hastened to take possession. On the left bank of the Tees he was met by Egelwin, bishop of Durham, who informed him that the natives had sworn to

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[37] Chron. Lamb. ibid. Matt. Paris, 4.

[38] By the foreign soldiers these marauders were called, the savages. Orderic, 215.

[39] Cospatric was the grandson of the earl Uhtred by Elgiva, a daughter of king Ethelred. Sim. 204, 205.

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maintain their independence, or to perish in the attempt: and advised him not to expose himself with so small an escort to the resentment of a brave and exasperated people. The admonition was received with contempt. Cumin entered
Jan. 28. Durham, took possession of the episcopal residence, and abandoned the houses of the citizens to the rapacity of his followers. During the night the English assembled in great force: about the dawn they burst into the city. The Normans, exhausted by the fatigue of their
Jan. 29. march and the debauch of the last evening, fell for the most part unresisting victims to the fury of their enemies: the rest retired in haste to their leader at the palace of the bishop. For a while they kept their pursuers at bay from the doors and windows: but in a short time the house was in flames, and Cumin with his associates perished in the conflagration. Of the whole number two only escaped from the massacre.[40]

Siege of York.

This success revived the hopes of the English. The citizens of York rose upon the Norman garrison, and killed the governor with many of his retainers. They were immediately joined by Cospatric with the Northumbrians, and by Edgar with the exiles from Scotland. William Mallet, on whom the command had devolved, informed the king that without imme-

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[40] Sim. Hist. ecc. Dunel. iii. 15. De gest. reg. 193. Orderic, 218. Alur. Bev. 128.

diate succour he must fall into the hands of the enemy. But that prince was already on his march; he surprised the besiegers. Several hundreds perished; the city was abandoned to the rapacity of the soldiers; and the cathedral was profaned and pillaged. Having built a second castle, and appointed his favourite Fitz-Osbern to the command, the king returned in triumph to Winchester.[41]

This was the most busy and eventful year in the reign of William. In June, the sons of Harold, with a fleet of sixty-four sail, returned from Ireland, and landed near Plymouth. They separated in the pursuit of plunder, but were surprised by Brian, son of the earl of Bretagne. The leaders escaped to their ships; almost all their followers perished in two engagements fought the same day.[42]

Arrival of the Danes.

In July arrived the threatened expedition from Denmark. Sveno had spent two years in making preparations: he had summoned to his standard adventurers from every nation inhabiting the shores of the Baltic; and had intrusted the command of a fleet of two hundred and forty sail to the care of his eldest son Canute, aided by the councils and experience of Sbern his uncle, and Christian his bishop. The Normans

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[41] Chron. Lamb. ad ann. 1098. Orderic, 218.

[42] Chron. Lamb. ibid. Orderic, 219. Two of Harold's sons retired to Denmark: their sister, who accompanied them, was afterwards married to the sovereign of Russia. Saxo Gram. 207.

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claim the praise of having repulsed the invaders at Dover, Sandwich, Ipswich, and Norwich: perhaps the Danes only touched at these places to inform the natives of their arrival, or to distract the attention of their enemy. In the beginning of August they sailed to the Humber, where they were joined by Edgar, Cospatric, Waltheof, Archil, and the five sons of Carl, with a squadron of English ships. Archbishop Aldred died of grief at the prospect of the evils which threatened his devoted country. The Normans at York, to clear the ground in the vicinity of their castles, set fire to the neighbouring houses; the flames were spread by the wind: and in a conflagration of three days, the cathedral and a great part of the city were reduced to ashes.

York taken.

During the confusion the Danes and English arrived, and totally defeated the enemy, who had the imprudence to leave their fortifications, and fight in the streets. Three thousand Normans were slain: for the sake of ransom, William Mallet with his family, Gilbert of Ghent, and a few others, were spared.[43]

William in the north.

The king was hunting in the Forest of Dean, when he received the first news of this disaster. In the paroxysm of his passion he swore by the splendour of the Almighty, that not one Northumbrian should escape his revenge. Ac-

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[43] Orderic, 221—223. Chron. Lamb. ad ann. 1068. Alur. Bev. 128.

quainted with the menaces of Sveno, he had made preparations adequate to the danger: auxiliaries had been sought from every people between the Rhine and the Tagus; and to secure their services, besides a liberal allowance for the present, promises had been added of future and more substantial rewards. It was not the intention of the confederates to hazard an engagement with so numerous and disciplined a force. As it advanced, they separated. Waltheof remained for the defence of York: Cospatric led his Northumbrians beyond the Tyne; the Danes retired to their ships, and sailed to the coast of Lindesey. To surprise the latter, William with his cavalry made a rapid march to the Humber. They were informed of his design, and crossed to the opposite coast of Holderness. But if the strangers eluded his approach in arms, they were accessible to money: and Sbern, the real leader of the expedition, is said to have sold his friendship to William for a considerable present. The report perhaps originated in the suspicions of a discontented people; but it is certain that from this period, the Danes, though they lingered for some months in the waters of the Humber, never attempted any enterprise of importance: and that Sbern, at his return to Denmark, was banished by his sovereign on charges of cowardice or treachery.[44]

[44] Orderic, 223. Malm. 60.

CHAP. I.

Defeats the insurgents.

The transient gleam of success, which at first attended the arms of the confederates at York, had rekindled the hopes and the hostility of the natives. The flames of insurrection burst forth in every district which William left in his march to the north. Exeter was besieged by the people of Cornwall: the malcontents in Devon and Somerset made an assault upon Montacute: the men of Chester and a body of Welshmen, to whom were soon added Edric the wild and his followers, took the town, and attempted to reduce the castle, of Shrewsbury. The inactivity of the Danes fortunately permitted him to retrace his steps. At Stafford he defeated a considerable body of insurgents; and Edric, hearing of his approach, set fire to Shrewsbury, and retired towards Wales. Exeter held out till the arrival of Fitz-Osbern and Brian to its relief; and others of the royal lieutenants displayed their zeal and activity in restoring tranquillity in different counties. The sufferings of both parties in this desultory warfare were severe: the troops in their marches and countermarches pillaged the defenceless inhabitants without distinction of friend or foe: and the interruption of agricultural pursuits was followed by an alarming scarcity during the ensuing years. From Nottingham the king turned once more towards the north. At Pontefract he was detained for three weeks by the swell of the river Are: a ford was at last discovered: he reached

York, and ordered it to be carried by assault. Though Waltheof defended the city with obstinacy; though he slew with his own hand several Normans, as they rushed in through the gateway, he was compelled to abandon it to the conqueror, who immediately repaired the castles, and appointed garrisons for their defence. Still the natives flattered themselves, that the winter would compel him to return into the south: to their disappointment he sent for his crown from Winchester, and during the Christmas kept his court with the usual festivities at York.[45]

Lays waste Yorkshire and Durham.

Elated with victory, and unrestrained by the motives of religion, or the feelings of humanity, William on this occasion devised and executed a system of revenge, which has covered his name with everlasting infamy. As his former attempts to enforce obedience had failed, he now resolved to exterminate the refractory natives, and to place a wilderness as a barrier between his Normans and their implacable enemies. With this view he led his retainers from York; dispersed them in small divisions over the country; and gave them orders to spare neither man nor beast, but to destroy the houses, corn, implements of husbandry, and whatever might be useful or necessary to the support of human life. The work of plunder, slaughter, and conflagration commenced on the left bank of the

[45] Orderic, 223—225. Malm. 58.

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Ouse, and successively reached the Tees, the Were, and the Tyne. The more distant inhabitants crossed over the last river: the citizens of Durham, mindful of the fate of Cumin, did not believe themselves safe, till they were settled in Holy island, the property of their bishop. But thousands, whose flight was intercepted, concealed themselves in the forests or made their way to the mountains, where they perished by hunger or disease. The number of men, women, and children, who fell victims to this barbarous policy, is said to have exceeded one hundred thousand. For nine years not a patch of cultivated ground could be seen between York and Durham: and at the distance of a century eye-witnesses assure us, that the country was strewed with ruins, the extent and number of which still attested the sanguinary ambition and implacable resentment of the conqueror.[46]

Submission of insurgents. 1070. Jan.

The English chieftains, terrified by this severe infliction, abandoned themselves to despair. Edgar, with the bishop of Durham, and his principal associates, sailed from Weremouth to

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[46] Orderic, 225. Malm. 58. Simeon, 199. Alur. Bev. 128, 129. I may add the observation of the first writer, who was himself a Norman. In multis Guillelmum nostra libenter extulit relatio: sed in hoc laudare non audeo ..... misericordia motus, miserabilis populi mœroribus et anxietatibus magis condoleo, quam frivolis adulationibus inutiliter studeo. Præterea indubitanter assero, quod impune non remittetur tam feralis occisio. Summos enim et imos intuetur omnipotens judex, æque omnium facta discutiet, et puniet districtissimus vindex. Ibid.

Scotland: Cospatric by messengers solicited and obtained his pardon: Waltheof, who by his valour had excited the admiration, and merited esteem of the Normans, visited the king on the banks of the Tees; received from him the hand of his niece Judith in marriage; and recovered his former honours, the earldoms of Northampton and Huntingdon.[47] From the Tees, William, on what account we are not informed, returned by a road, which had never been trodden by an armed force. It was in the heart of winter: a deep snow covered the ground: and the rivers, mountains, and ravines continually presented new and unexpected obstacles. In the general confusion, order and discipline disappeared; even the king himself wandered from the track, and passed an anxious night in total ignorance, both where he was himself, and what direction the army had taken. After surmounting numerous difficulties, and suffering the severest privations, the men reached York; but most of the horses had perished in the snow.[48]

This adventure might have checked the ardour of a less resolute leader: but William professed the most sovereign contempt of hardships; and within a few weeks undertook a longer and more

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[47] Judith was the daughter of the countess of Albemarle, William's uterine sister. Will. Gemet. viii. 37.

[48] Orderic, 226. In the text of this writer, Hexham has inadvertently been admitted instead of York. It is evident that the latter is the true reading.

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perilous expedition. In the beginning of March, amid storms of snow, sleet, and hail, he led his army from York to Chester, over the mountains which divide the two coasts of the island. The foreign mercenaries began to murmur: by degrees they burst into open mutiny, and clamorously demanded their discharge. "Let "them go, if they please," answered the king, with apparent indifference, "I do not want their "services." At the head of the army, and frequently on foot, he gave the example to his followers, who blushed not to equal the exertions and alacrity of their prince. At Chester he built a castle, pacified the country, and received Edric the wild into favour. Thence he proceeded to Salisbury, where he rewarded, and disbanded the army. The only punishment inflicted on the mutineers was, that they were compelled to serve forty days longer than their fellows.[49]

Ravages of Malcolm.

The departure of the Normans did not put an end to the calamities of the northern counties. While the natives opposed William, Malcolm of Scotland considered them as friends: the moment they submitted, he became their enemy. Passing through Cumbria, he poured his barbarians into the north of Yorkshire, to glean whatever had escaped the rapacity of the Normans. Cospatric, who watched his motions, retaliated by a similar inroad into Cumbria, and

[49] Orderic, 227—231. Simeon, 202.

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returned with a plentiful harvest of plunder to his castle of Bamborough. Malcolm had marched from Cleveland, along the coast as far as Weremouth, when he received the intelligence. From that moment the war assumed a more sanguinary aspect. The Scots, who were impelled not only by the hope of plunder but also by the thirst of revenge, crossed the Tyne; burnt the churches and villages; massacred the infants and the aged; and forced along with them all the men and women able to bear the fatigue of the journey. So numerous were the captives, that according to a historian, who was almost a contemporary, they furnished every farm in the south of Scotland with English slaves. When Malcolm had terminated this expedition, he offered his hand to Margaret, the sister of Edgar. The princess, who was in her twenty-second year, turned with disgust from a husband covered with the blood of so many innocent victims. She pleaded an inclination to embrace a conventual life: but her objections were overruled by the authority of Edgar and his counsellors: and the mild virtues of the wife insensibly softened the ferocity, and informed the mind, of her husband.[50]

[50] Simeon, 200. Flor. 636. Chron. Lamb. ad ann. 1067. Alur. Bev. 130, 131. Vit. S. Marg. in vit. SS. Scotiæ, ed. Pink. Of their eight children three were kings of Scotland, one was queen, and one mother to a queen, of England.

Malcolm = Margaret.

Edgar.	Alexander.	David.	Matilda, to Henry I.	Mary, to Eustace, of Boulogne.

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All places of trust given to Normans.

William was now undisputed master of England. From the channel to the borders of Scotland his authority was universally acknowledged: in every county, with the exception of Cospatric's government, it was enforced by the presence of a powerful body of troops. In each populous burgh a strong fortress had been erected:[51] in case of insurrection the Normans found an asylum within its walls: and the same place confined the principal natives of the district, as hostages for the obedience of their countrymen.[52] It was no longer necessary for the king to court popularity. He made it the principal object of his government to depress the natives, and to exalt the foreigners: and within a few years every dignity in the church, every place of emolument or authority in the state, and almost all the property in the land, had passed into the possession of Normans. From the commencement of the invasion the English had been accustomed to deposit in the monasteries their most valuable effects. They vainly hoped that these sanctuaries would be respected by men, who professed the same re-

[51] The erection of the following castles is mentioned by ancient writers: of Pevensey, Hastings, and London, and the reparation of that of Dover in 1066: of Winchester in 1067: of Chichester, Arundel, Exeter, Warwick, Nottingham, York, Lincoln, Huntingdon, and Cambridge, in 1068: of a second at York, one at Chester, and another at Stafford, in 1070. See Orderic, Vit. edit. Maseres, p. 228.—Note.

[52] This fact, sufficiently probable in itself, is confirmed by the history of Turgot in Simeon (206), and Hoveden (261).

ligion: but on his return from the north William confiscated the whole, under the pretext that it belonged to his enemies. The royal commissioners carried off not only the plate and jewels, but, what was felt still more severely, the charters of immunities and evidences of property: and not only these, but also, in many instances, the treasures of the monasteries themselves, their sacred vessels, and the ornaments of their churches.[53]

English prelates deposed.

At the king's request pope Alexander had sent three legates to England, Ermenfrid, bishop of Sion, and the cardinals Peter and John. Ermenfrid was no stranger to the country. He had visited in the same capacity the court of Edward the confessor.[54] The purport of their commission was the reformation of the English clergy: the object of the king was to remove from situations of influence the native bishops and abbots. Councils were held at Winchester and Windsor. Stigand, who had attempted to annex the see of Winchester to that of Canterbury, and had been suspended for many years from his functions, was deposed:[55] two or three other prelates were

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[53] Chron. Lamb. ad ann. 1070. Simeon, 200. West. 226. Matt. Paris, 5.

[54] Flor. 631. Ang. Sac. ii. 250. It is singular that Hume should describe Ermenfrid as the first legate who had ever appeared in England, when, besides some other instances in the Anglo-Saxon times, that prelate himself had many years before come to England in the same capacity.

[55] Stigand is said by Malmsbury (De Pont. 116) to have been

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justly deprived of their churches on account of their immorality: and several experienced the same fate for no other crime than that of being Englishmen. Wulstan, the celebrated bishop of Worcester, was not molested, a favour, which probably he owed less to his unblemished character, than to the protection of Ermenfrid, whose friend and host he had been on a former occasion.[56] By the Norman writers that legate is applauded as the inflexible maintainer of ecclesiastical discipline; by the English he is censured as the obsequious minister of the royal pleasure.

Norman prelates.

Nor was this system of proscription confined to the bishops. In the succeeding years it gradually descended to inferior situations in the church, till hardly a single native remained in possession of influence or wealth. Of their successors many were needy and rapacious foreigners, indebted for their promotion not to their own merit, but to the favour or gratitude of their patrons:[57] but to the praise of William it should be observed, that with one or two exceptions he admitted none to the higher ecclesiastical dignities, who were not distinguished by

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treated with great severity: but his account is refuted by Rudborne, who informs us that the deposed primate was confined at large within the castle of Winchester, and permitted to take with him all his treasures. These at his death fell into the hands of the king, who presented a small portion to the church of that city. Ang. Sac. i. 250.

[56] Ang. Sac. ii. 250. [57] Orderic, 262—264.

their talents and virtues.[58] On the whole, this change of hierarchy, though accompanied with many acts of injustice, was a national benefit. It served to awaken the English clergy from that state of intellectual torpor in which they had so long slumbered, and to raise them gradually to a level with their foreign brethren in point of mental cultivation. The new bishops introduced a stricter discipline; excited a thirst for learning; and expended the wealth which they acquired in works of public magnificence, or of public charity.

Lanfranc.

The most illustrious of the number, both for his abilities and for his station, was Lanfranc, a native of Pavia, and during many years professor of laws in that city. From Pavia he travelled into Normandy, opened a school at Avranches, and diffused a taste for knowledge among the clergy. In 1042, motives of piety induced him to withdraw from the applause of the public, and to sequester himself in the poor and lonely abbey of Bec. But talents like his could not be long hidden in obscurity: the commands of the abbot Herluin, compelled him to resume the office of teaching; and more than a hundred scholars attended his lectures. In 1063 William made him abbot of the monastery of St. Stephen, which he had lately founded at Caen; and in 1070 appointed him, with the assent of his

[58] Orderic, 233.

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barons, to the archiepiscopal see of Canterbury. Lanfranc objected his ignorance of the language and the manners of the *barbarians;* nor was his acquiescence obtained without the united solicitations of the legate, the queen Matilda, and the abbot Herluin. The new archbishop was constantly respected by the king and his successor: and he frequently employed the influence which he possessed, in the support of justice, and the protection of the natives. To his firmness and perseverance the church of Canterbury owed a great part of her possessions, which he wrested from the tenacious grasp of the conquerors.[59] He rebuilt the cathedral, which had been destroyed by fire; repaired in many places the devastations occasioned by the war, and founded, without the walls of the city, two opulent hospitals, one for lepers, the other for the infirm. At his death in 1079, he was nearly one hundred years of age.[60]

Guitmond.

The monk Guitmond, the celebrated disciple of Lanfranc, refused to imitate the conduct of

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[59] While Stigand was in disgrace, Odo had taken possession of many of the manors belonging to the archbishopric. At Lanfranc's request a shire-mote was held at Pinneden, in which Geoffry, bishop of Coutance, presided by order of William. After a hearing of three days, the lands in question were adjudged to the church. See the proceedings in Selden's Spicilegium ad Eadm. p. 197. With equal success the archbishop contended for the superiority of his see over that of York, against Thomas lately promoted to the latter. Malm. 112—117.

[60] Orderic, 241—245. Malm. 117, 118.

his master. When he was solicited by William to accept an English bishopric, he boldly replied, that after having spontaneously abandoned wealth and distinction, he would never receive them again from those who pretended to give what was not their own: and that, if the chance of war had placed the crown on the head of William to the prejudice of the legitimate heir, it still could not authorize him to impose on the English ecclesiastical superiors against their will. The freedom of this answer displeased the barons: and when the king offered him the archbishopric of Rouen, they not only prevented his promotion, but expelled him from Normandy. He sought an asylum in the papal court, and died archbishop of Aversa in Italy.[61] CHAP. I.

Among those who were thus promoted by the partiality of the conqueror, I may mention another individual, whose authority has been frequently adduced in these pages. Ingulf was an Englishman, born in London, and studied first at Westminster, afterwards at Oxford.[62] When Ingulf.

[61] Orderic, 264—270.

[62] Primum Westmonasterio, postmodum Oxoniensi studio traditus eram. Cumque in Aristotele arripiendo profecissem, &c. Ingulf, 73. This passage is found in every manuscript: yet Mr. Gibbon doubts its authenticity, because Oxford in 1048 lay in ruins, and the works of Aristotle were unknown (Posthumous Works, iii. 534). But 1°. It was in 1010 that Oxford was burnt. Three years after it rose from its ashes, and became a place of importance. See the Saxon chronicle, p. 139. 143. 146. 151. 154, 155. 2°. In another place Ingulf tells us that he had studied logic (p. 62): and instead of doubting his assertion, I would rather believe from

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William visited Edward the confessor, Ingulf attached himself to the service of the duke, and was employed by him as his secretary. From Normandy he travelled a pilgrim to Jerusalem, returned, and received the monastic habit at Fontanelles. It chanced that Wulfketul, abbot of Croyland, was deposed and imprisoned at the instance of Ivo Tailbois. The king bestowed the abbey upon his former secretary. But though Ingulf was indebted to foreigners for his promotion, he always retained the heart of an Englishman. He firmly resisted the pretensions of the Normans in his neighbourhood; obtained several indulgences for his predecessor; and to sooth the feelings of the old man, always assumed the modest title of his vicegerent. He has left us a detailed account of the abbey of Croyland from its foundation; and has interwoven in his narrative many interesting particulars of national history.[63]

Death of Edwin. 1071.

In 1071, the embers of civil war were rekindled by the jealousy of William. During the late disturbances Edwin and Morcar had cautiously abstained from any communication with the insurgents. But if their conduct was unexceptionable, their influence was judged danger-

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him that Aristotle was known more early than is generally thought. Alcuin, who wrote two centuries before Ingulf, informs us that Aristotle was studied at York (De Pont. Eborac. v. 1550), and wrote a treatise himself on the Isagogæ, Categoriæ, Syllogismi, Topica, and Periermeniæ. Canis. ii. part i. p. 488. [63] Ingulf, p. 73.

ous. In them the natives beheld the present hope, and the future liberators of their country: and the king judged it expedient to allay his own apprehensions, by securing their persons. The attempt was made in vain. Edwin concealed himself; solicited aid from the friends of his family; and eluding the vigilance of the Normans, endeavoured to escape towards the borders of Scotland. Unfortunately the secret of his route was betrayed by three of his vassals: the temporary swell of a rivulet from the influx of the tide, intercepted his flight: and he fell, with twenty of his faithful adherents, fighting against his pursuers. The traitors presented his head to William, who rewarded their services by a sentence of perpetual banishment. The fate of his brother Morcar was different. He fled to the protection of Hereward, who had presumed to rear the banner of independence amidst the fens and morasses of Cambridgeshire.[64]

Opposition of Hereward.

The memory of Hereward was long dear to the people of England. The recital of his exploits gratified their vanity and resentment: and traditionary songs transmitted his fame to succeeding generations. His father, the lord of Born in Lincolnshire, unable to restrain the tur-

[64] Orderic, 249. Ing. 70. Hunt. 211. Chron. Lamb. ad ann. 1072. All ancient writers concur in the fact that Edwin and Morcar were persecuted by William: I have selected such circumstances as appeared the most probable.

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bulence of his temper, had obtained an order for his banishment from Edward the confessor: and the exile had earned in foreign countries the praise of a hardy and fearless warrior. He was in Flanders at the period of the conquest: but when he heard that his father was dead, and that his mother had been dispossessed of the lordship of Born by a foreigner, he returned in haste, collected the vassals of the family, and drove the Norman from his paternal estates. The fame of this exploit increased the number of his followers: every man, anxious to avenge his own wrongs, or the wrongs of his country, hastened to the standard of Hereward: a fortress of wood was erected in the isle of Ely for the protection of their treasures: and a small band of outlaws, instigated by revenge, and emboldened by despair, set at defiance the whole power of the conqueror.[65]

He plunders Peterborough. 1070. June 2.

Hereward, with several of his followers, had received the sword of knighthood from his uncle Brand, abbot of Peterborough. Brand died before the close of the year 1069: and William gave the abbey to Turold, a foreign monk, who, with a guard of one hundred and sixty horsemen, proceeded to take possession. He had already reached Stamford, when Hereward resolved to plunder the monastery. The Danes, who had passed the winter in the Humber, were

[65] Ingulf. 67. 70, 71.

now in the Wash: and Sbern, their leader, consented to join the outlaws. The town of Peterborough was burnt: the monks were dispersed: the treasures which they had concealed were discovered: and the abbey was given to the flames. Hereward retired to his asylum: Sbern sailed towards Denmark.[66]

Makes Turold prisoner.

To remove these importunate enemies Turold purchased the services of Ivo Tailbois, to whom the conqueror had given the district of Hoyland. Confident of success the abbot and the Norman commenced the expedition with a numerous body of cavalry. But nothing could elude the vigilance of Hereward. As Tailbois entered one side of a thick wood, the chieftain issued from the other; darted unexpectedly upon Turold; and carried him off with several other Normans, whom he confined in damp and unwholesome dungeons, till the sum of two thousand pounds had been paid for their ranson.[67]

William besieges Hereward. 1071.

For a while the pride of William disdained to notice the efforts of Hereward: but when Morcar and most of the exiles from Scotland had joined that chieftain, prudence compelled him to crush the hydra, before it could grow to maturity. He stationed his fleet in the Wash, with orders to observe every outlet from the fens to the ocean: by land he distributed his forces in such manner as to render escape almost impos-

[66] Ing. 70. Chron. Sax. 176, 177.
[67] Pet. Blesen. p. 125.

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sible. Still the great difficulty remained to reach the enemy, who had retired to their fortress, situated in an expanse of water, which in the narrowest part was more than two miles in breadth. The king undertook to construct a solid road across the marshes, and to throw bridges over the channels of the rivers, a work of considerable labour, and of equal danger, in the face of a vigilant and enterprising enemy. Hereward frequently dispersed the workmen: and his attacks were so sudden, so incessant, and so destructive, that the Normans attributed his success to the assistance of Satan. At the instigation of Tailbois, William had the weakness to employ a sorceress, who was expected, by the superior efficacy of her spells, to defeat those of the English magicians. She was placed in a wooden turret at the head of the work: but Hereward, who had watched his opportunity, set fire to the dry reeds in the neighbourhood: the wind rapidly spread the conflagration: and the enchantress with her guards, the turret with the workmen, were enveloped, and consumed in the flames.[68]

Gets possession of Ely.

These checks might irritate the king: they could not divert him from his purpose. In defiance of every obstacle the work advanced: it was evident that in a few days the Normans would be in possession of the island: and the

[68] Ibid.

greater part of the outlaws voluntarily submitted to the royal mercy. Their fate was different. Of some he accepted the ransom, a few suffered death: many lost an eye, a hand, or a foot; and several, among whom were Morcar and the bishop of Durham, were condemned to perpetual imprisonment. Hereward alone could not brook the idea of submission. He escaped across the marshes, concealed himself in the woods, and as soon as the royal army had retired, resumed hostilities against the enemy. But the king, who had learned to respect his valour, was not adverse to a reconciliation. The chieftain took the oath of allegiance, and was permitted to enjoy in peace the patrimony of his ancestors.[69]

Subdues Scotland. 1072.

William was now at leisure to chastise the presumption of Malcolm, who had not only afforded an asylum to his enemies, but had seized every opportunity to enter the northern counties, exciting the natives to rebellion, and ravaging the lands of those who refused. With a determination to subdue the whole country, the king summoned to his standard all his retainers, both Norman and English: and while his fleet crept along the coast, directed his march through the Lothians. Opposition fled before him. He

[69] For the siege of Ely see Ingulf, p. 71. Flor. 637. Sim. 203. Hunt. 211. Paris, 6. Chron. Sax. 181. Chron. Lamb. ad. ann. 1072. Some writers say that Morcar, like his brother, was killed by treachery: but the preponderance of authority is in favour of his imprisonment. See also Orderic, p. 247. and Ing. 68.

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crossed the Forth: he entered "Scotland:" he penetrated to Abernethy on the Tay: and Malcolm thought it better to preserve his crown as a vassal, than to lose it by braving the resentment of his enemy. He made an offer of submission, the conditions of which were dictated by William; and the Scottish king, coming to the English camp, threw himself on the mercy of the conqueror. He was permitted to retain the government as a vassal of the English crown: and in that quality swore fealty, performed the ceremony of homage, and gave hostages for his fidelity.[70] The king in his return halted at Dur-

[70] I am fully aware that several Scottish writers, anxious to save the honour of Malcolm, seek to persuade us that the Abernethy in question is some unknown place on the borders, not Abernethy on the Tay; that the two kings settled their differences in an amicable manner, and that the homage of Malcolm was not performed for Scotland, but for lands given to him in England. It is, however, impossible to elude the testimony of the original and contemporary historians. 1. The king's object was to conquer Scotland (ut eam sibi subjugaret. Sim. 203. Flor. 637). 2. He advanced to Abernethy on the Tay ("He led ship-force and land-force to Scotland; "and the land on the sea-half he beleaguered with ships, and led in "his army at the ge-wade"—not the Tweed, as Gibson unaccountably translates it, but "the ford" or wading-place. Chron. Sax. 181. This ford was over the Forth, the southern boundary of Scotland in that age. Thus Ethelred tells us that the king passed through Lothian, and some other place, and then through Scotland to Abernethy. Laodamam, Calatriam—a word altered in copying—Scotiam usque ad Abernethy. Ethel. 342). 3. All opposition was fruitless. "He there found naught that him better was." Chron. Sax. 181. This passage has been explained to signify that he found nothing of service, neither provisions nor riches: but the real meaning is that he found no man better than himself, that is, no man able to resist him with success, as Siward is said to have slain of his ene-

ham, to erect a castle for the protection of Walcher, the new bishop; and summoned before his tribunal Cospatric, the earl of Northumberland. He was charged with old offences, which it was supposed had been long ago forgiven, the massacres of the Normans at Durham and York. Banished by the sentence of the court, Cospatric retired, after several adventures, to Malcolm, and received from the pity or policy of that prince the castle and demesnes of Dunbar. His earldom was bestowed on Waltheof, who took the first opportunity to revenge the murder of his grandfather Aldred.[71] He surprised and slew the sons of Carl at a banquet in the villa of Seterington.[72]

Edgar submits. 1075.

Hereward was the last Englishman, who drew the sword in the cause of independence. The natives submitted to the yoke in sullen despair: even Edgar the etheling resigned the

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mies "all that was best." Chron. Lamb. ann. 1054. 4. At Abernethy Malcolm came and surrendered himself (Deditione factus est noster. Ethelred, 342. Se dedidit. Malms. 58). 5. Scotland was subduced (Scotiam sibi subjecit, Ingulf, 79). Malcolm was obliged to do homage and swear fealty (Malcolmum regem ejus sibi hominium facere, et fidelitatem jurare coegit. Ing. ibid.); and in addition to give hostages for his fidelity (Obsidcs. Sim. 203. Gislas Sealde, and his man was, Chron. Sax. 181). It should be observed that of these writers the Saxon annalist had lived in William's court, Ingulf had been his secretary, Ethelred was the intimate acquaintanee of David, the son of Malcolm, and the rest lived in the next century. They could not all be mistaken.

[71] See note 79, in the fifth chapter of the first volume.

[72] Alur. Bev. 132. Sim. 203, 204.

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hope of revenge, and consented to solicit a livelihood from the mercy of the man, whose ambition had robbed him of a crown. He was still in Scotland, when the king of France offered him a princely establishment at Montreuil near the borders of Normandy; not that Philip cared for the misfortunes of the etheling, but that he sought to annoy William, who had become his rival both in power and dignity. Edgar put to sea with the wealth which he had brought from England, and the presents which had been made to him by the king, queen, and nobles of Scotland. But his small squadron was dispersed by a tempest: his ships were stranded on the coast: his treasures and some of his followers were seized by the inhabitants: and the unfortunate prince returned to solicit once more the protection of his brother-in-law. By him he was advised to seek a reconciliation with William, who received the overture with pleasure. At Durham the sheriff of Yorkshire met him with a numerous escort, in appearance to do him honour, in reality to secure his person.[73] Under this guard he traversed England, crossed the sea, and was presented to William in Normandy, who granted him the first place at court, an apartment in the palace, and a yearly pension of three hundred and sixty-five pounds of silver. For several years the last

[73] Chron. Lamb. ad ann. 1075.

male descendant of Cerdic confined his ambition to the sports of the field: in 1086 he obtained permission to conduct two hundred knights to Apulia, and from Apulia to the holy land. We shall meet him again in England during the reign of William Rufus.[74]

Consequences of the Norman conquest.

We may now pause to contemplate the consequences of this mighty revolution. The conqueror was undisputed master of the kingdom: opposition had melted away before him; and with the new dynasty had arisen a new system of national polity, erected on the ruins of the old. I. England presented the singular spectacle of a native population with a foreign sovereign, a foreign hierarchy, and a foreign nobility. The king was a Norman: the bishops and principal abbots, with the exception of Wulstan and Ingulf, were Normans: and, after the death of Waltheof, every earl, and every powerful vassal of the crown, was a Norman. Each of these, to guard against the disaffection of the natives naturally surrounded himself with foreigners, who alone were the objects of his favour and patronage: and thus almost all, who aspired to the rank of gentlemen, all who possessed either wealth or authority, were also Normans. Individuals who in their own country had been poor and unknown, saw themselves unexpectedly elevated in the scale of

Depression of the natives.

[74] Malm. 58. Hoved. 264.

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society: they were astonished at their own good fortune: and generally displayed in their conduct all the arrogance of newly acquired power. Contempt and oppression became the portion of the natives, whose farms were pillaged, females violated, and persons imprisoned at the caprice of these petty and local tyrants.[75] "I will not undertake," says an ancient writer, "to describe the misery of this wretched "people. It would be a painful task to me; "and the account would be disbelieved by pos- "terity."[76]

William's riches.

The first donations which the king made to his followers, were taken either out of the demesne lands of the crown, or the estates of the natives who either had fallen in battle, or after the victory had refused to submit to the conqueror. The rest by taking the oath of allegiance to the new sovereign, secured to themselves the present possession of their property. But most of these engaged in some or other of the rebellions which followed: the violation of their fealty subjected them by law to the forfeiture of their estates: and new grants were made to reward the services of new adventurers. Nor were the grantees always satisfied with the king's bounty. Their insolence trampled on the rights of the natives; and their rapacity

[75] Ex infimis Normannorum clientibus tribunos et centuriones ditissimos erexit. Orderic, 250. 253, 254, 255. 257. 259—262. Eadmer, 57. Hunt. 212.

[76] Hist. Elien. 516.

dispossessed their innocent but unprotected neighbours. The sufferers occasionally appealed to the equity of the king; but he was not eager to displease the men, on whose swords he depended for the possession of his crown; and if he ordered the restitution of the property which had been unjustly invaded, he seldom cared to enforce the execution of the decree which he had made. Harassed, however, by the importunate complaints of the English on the one hand, and the intractable rapacity of the Normans on the other, he commanded both parties to settle their disputes by compromise. The expedient relieved him from the performance of an office, in which his duty was opposed to his interests: but it uniformly turned to the advantage of the oppressors. The Englishman was compelled to surrender the greater portion of his estate, that he might retain the remainder, not as the real proprietor, but as the vassal of the man, by whom he had been wronged.[77]

Elevation of the foreigners.

II. Thus, partly by grant and partly by usurpation, almost all the lands in the kingdom were transferred to the possession of Normans. The families which, under the Anglo-Saxon dynasty, had been distinguished by their opulence and power, successively disappeared.

[77] Compare the words of Gervase of Tilbury (Brad. i. 15), with the correct extract from the MS. of the Sharneburn family apud Wilk. Leg. Sax. 287.

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Many perished in the different insurrections: others begged their bread in exile, or languished in prison, or dragged on a precarious existence under the protection of their new lords. The king himself was become the principal proprietor in the kingdom. The royal demesnes had fallen to his share: and if these in some instances had been diminished by grants to his followers, the loss had been amply repaired from the forfeited estates of the English thanes. He possessed no fewer than one thousand four hundred and thirty-two manors in different parts of the kingdom.[78] The next to him was his brother Odo, distinguished by the title of the earl bishop, who held almost two hundred manors in Kent, and two hundred and fifty in other counties. Another prelate, highly esteemed, and as liberally rewarded by the conqueror, Geoffry, bishop of Coustances, left by his will two hundred and eighty manors to Roger Mowbray, his nephew. Robert, count of Mortaigne, the brother of William and Odo, obtained for his share nine hundred and seventy-three manors; four hundred and forty-two fell to the portion of Alan Fergant, earl of Bre-

[78] Manor (a Manendo, Orderic, 255) was synonymous in the language of the Normans with villa in Latin, and Tune in English. It denoted an extensive parcel of land, with a house on it for the accommodation of the lord, and cottages for his slaves. He generally kept a part in his own hands, and bestowed the remainder on two or more tenants, who held of him by military service, or rent, or other prestations.

tagne; two hundred and ninety-eight to that of William Warenne; and one hundred and seventy-one to Richard de Clare. Other estates in greater or smaller proportions were bestowed on the rest of the foreign chieftains, according to the caprice or the gratitude of the new sovereign.[79]

In addition to the grant of lands, he conferred on his principal favourites another distinction honourable in itself, profitable to the possessors, and necessary for the stability of the Norman power. This was the earldom, or command of the several counties. Odo was created earl of Kent, and Hugh of Avranches earl of Chester, with royal jurisdiction within their respective earldoms. Fitz-Osbern obtained the earldom of Hereford, Roger Montgomery that of Shropshire, Walter Giffard that of Buckingham, Alan of Bretagne that of Richmond, and Ralph Guader that of Norfolk. In the Saxon times such dignities were usually granted for life: William made them hereditary in the same family.[80]

Their retainers.

It should, however, be observed that the Norman nobles were as prodigal as they were rapacious. Their vanity was flattered by the

[79] Orderic, 250—255.

[80] The earls, besides their estates in the county, derived other profits from their earldoms, particularly the third penny of what was due to the king from proceedings at law. Warenne, from his earldom of Surrey, received annually 1000 pounds (Orderic, inter Scrip. Norm. 804); but in this sum must be included the profits arising from his lands.

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number and wealth of their retainers, whose services they purchased and requited with the most liberal donations. Hence the estates which they received from the king, they doled out to their followers in such proportions, and on such conditions, as were reciprocally stipulated. Of all his manors in Kent, the earl bishop did not retain more than a dozen in his own possession.[81] Fitz-Osbern was always in want: whatever he obtained, he gave away: and the king himself repeatedly chided him for his thoughtlessness and prodigality.[82] Hugh of Avranches was surrounded by an army of knights, his retainers, who accompanied him wherever he went, pillaging the farms as they passed, and living at the expense of the people.[83] Thus it happened that not only the immediate vassals of the crown but the chief of their sub-vassals were also foreigners: and the natives who were permitted to retain the possession of land, gradually sank into the lowest classes of laymen.

Establishment of knights' fees.

III. So general and so rapid a transfer of property from one people to another could not be effected without producing important alterations in the condition of the tenures by which lands had been hitherto held. Of these tenures that by military service was esteemed the most honourable. In the preceding pages the reader

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[81] Domesday, Chenth. [82] Malms. 59. [83] Orderic, 253.

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will have noticed the rudiments of military tenures among the Anglo-Saxons: he will soon discover them under the Normans improved into a much more perfect, but also more onerous system. Whether the institution of knights' fees was originally devised, or only introduced by the policy of the conqueror, may perhaps be doubted. It is indeed generally supposed that he brought it with him from Normandy, where it certainly prevailed under his successors: but I am ignorant of any ancient authority by which its existence on a large scale can be proved either in that or any other country, previously to its establishment in this island. William saw that as his crown had been won, so it could be preserved, only by the sword. The unceasing hostility of the natives must have suggested the expediency of providing a force, which might at all moments be prepared to crush the rebellious, and overawe the disaffected: nor was it easy to imagine a plan better calculated for the purpose than that, which compelled each tenant in chief to have a certain number of knights or horsemen always ready to fight under his banner, and obey the commands of the sovereign. From the laws of the conqueror we may infer that this subject was discussed and determined in a great council of his vassals at London. "We will," says he, "that all the freemen of our kingdom "possess their lands in peace, free from all tal-"lage, and unjust exaction: that nothing be

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"required or taken from them but their free "service which they owe to us of right, as has "been appointed to them, and granted by us "with hereditary right for ever by the common "council of our whole kingdom." "And we "command that all earls, barons, knights, ser-"jeants, and freemen be always provided with "horses and arms as they ought, and that they "be always ready to perform to us their whole "service, in manner as they owe it to us of "right for their fees and tenements, and as we "have appointed to them by the common coun-"cil of our whole kingdom, and as we have "granted to them in fee with right of inherit-"ance."[84] This free service which was so strongly enforced, consisted, as we learn from other sources, in the quota of horsemen completely armed, which each vassal was bound to furnish at the king's requisition, and to maintain in the field during the space of forty days. Nor was it confined solely to the lay tenants. The bishops and dignified ecclesiastics, with most of the clerical and monastic bodies, were compelled to submit to the same burthen. A few exemptions were indeed granted to those, who could prove that they held their lands in franc-almoigne or free alms; but the others, whose predecessors had been accustomed to furnish men to the armies during the invasions of the

[84] Wilk. Leg. 217. 228.

Danes, could not refuse to grant a similar aid to the present sovereign, to whom they all owed their dignities and opulence. This regulation enabled the crown at a short notice to raise an army of cavalry, which is said to have amounted to sixty thousand men.[85]

The tenants in chief imitated the sovereign in exacting from their retainers the same free service, which the king exacted from them. Thus every large property, whether it were held by a vassal of the crown, or a sub-vassal, became divided into two portions of unequal extent. One the lord reserved for his own use under the name of his demesne, cultivated part of it by his villeins, let out parts to farm, and gave parts to different tenants to be holden by any other than military service.[86] The second portion he

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[85] Order. 258. In a passage in Sprot, which is evidently mutilated, the number of knights' fees is fixed at 60,215, of which 28,015 are said to have belonged to the monks alone, independently of the rest of the clergy (Sprot, Chron. 114). Hence it has been inferred that they possessed almost one half of the landed property in the kingdom. But it is evident that there exists some error in the number. From the returns in the Liber Niger Scaccarii under Henry II. it appears that the number of knights' fees belonging to the monasteries was comparatively trifling: and, if the monks had really been compelled to give away to laymen the immense quantity of land necessary to constitute 28,015 knights' fees, we should certainly meet with complaints on the subject in some of their writers. I do not believe that one of them has ever so much as alluded to it.

[86] Some lands were held in villenage even by freemen, who bound themselves to render such services as were usually rendered by villeins: others were held in soccage, that is by rent or any other

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divided into parcels called knights' fees, and bestowed on military tenants, with the obligation of serving on horseback at his requisition during the usual period.[87] But in these sub-infeudations each mesne lord was guided solely by his own judgment or caprice. The number of knights' fees established by some was greater, of those established by others was smaller, than the number of knights, whom they were bound to furnish by their tenures. Thus the bishop of Durham, and Roger de Burun owed the crown the same service of ten knights: but the former had enfeoffed no fewer than seventy, the latter only six. The consequence was that the prelate had always more than sufficient to perform his service, while Roger was compelled to supply his deficiency with hired substitutes, or the voluntary attendance of some of the freeholders on his demesne.[88]

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free but conventional service, with the obligation of suit to the court of the lord. Burgage tenure was confined to the towns, and was frequently different even in the same town, according to the original will of the lord.

[87] Thus the obligation of military service was ultimately laid on the smaller portion of the land. The estates belonging to the abbey of Ramsey contained 390 hides (see the fragment printed after Sprot, p. 195—197). Yet the quantity of land which had been converted into knights' fees did not exceed 60. Ibid. p. 215—217. Lib. Nig. i. 256.

[88] Lib. Nig. i. 224. 306. 310. But what was the extent of a knight's fee? A hide of land contained four yard-lands; but the yard-land in different places was estimated at 16, 24, and even 40 acres, perhaps on account of the different value of the soil. We are told that four hides made an entire fee (Apud Sprot, p. 183):

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But besides military service these tenures imposed on the vassal a number of obligations and burthens, without the knowledge of which it will be impossible to understand the nature of the transactions recorded in the following pages.

Fealty and homage.

1. Fealty was incident to every, even the lowest, species of tenure.[89] Besides fealty the military tenant was obliged to do homage, that he might obtain the investiture of his fee. Unarmed and bare-headed, on his knees, and with his hands placed between those of his lord, he repeated these words, "Hear, my lord; I be-"come your liege man of life, and limb, and "earthly worship: and faith and truth I will "bear to you to live and die. So help me God." The ceremony was concluded with a kiss: and the man was thenceforth bound to respect and

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yet when we come to the fees themselves, we find none containing fewer than five hides, and some that contain more. Ibid. p. 216. In the return of Richard de Haia, we are told that knights do service for five caracutes or hides of land, and that some have that number, others not. Lib. Nig. 278.

[89] Even the villein took an oath of fealty to his lord for the cottage and land which he enjoyed from his bounty, and promised to submit to his jurisdiction both as to body and chattels. Spelm. Arch. 226. But this oath of fealty became in the lapse of ages the cause of a great improvement in the condition of villeins. It entitled them to some consideration from their lords. Their tenements were suffered to descend to their children, who took the same oath, and performed the same services: and the land continued in the same family for so many generations, that the villein at length was deemed to have obtained a legal interest in it. Thus it is supposed that tenure by copyhold was established.

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obey his lord: the lord to protect his man, and to warrant to him the possession of his fee.[90] Hitherto in other countries the royal authority could only reach the sub-vassals through their lord, who alone had sworn fealty to the sovereign: nor did they deem themselves deserving of punishment, if they assisted him in his wars, or his rebellion against the crown. Such the law remained for a long period on the continent: but William, who had experienced its inconvenience, devised a remedy in England; and compelled all the free tenants of his immediate vassals to swear fealty to himself.[91] The consequence was an alteration in the words of the oath: the king's own tenants swore to be true to him against all manner of men: their subtenants swore to be true to them against all men but the king and his heirs. Hence, if they followed their lord in his rebellion, they were adjudged to have violated their allegiance, and became subject to the same penalties as their leader.

Attendance at the king's court.

2. In addition to service in the time of war, the military tenants of the crown were expected to attend the king's court at the three great festivals: and, unless they could shew a reasonable cause of absence, were bound to appear on other occasions, whenever they were summoned. But

[90] Spelm. Arch. 296. Glan. ix. 1. Ex parte domini protectio, defensio, warrantia, ex parte tenentis reverentia et subjectio. Bract. ii. 35. [91] Chron. Sax. 187. Alur. Bev. 136.

if this in some respects were a burthen, in others it was an honour and an advantage. In these assemblies they consulted together on all matters concerning the welfare or safety of the state, concurred with the sovereign in making or amending the laws, and formed the highest judicial tribunal in the kingdom. Hence they acquired the appellation of the king's barons: the collective body was called the baronage of England: and the lands which they held of the crown were termed their respective baronies. By degrees, however, many of the smaller baronies became divided and subdivided by marriages and descents: and the poverty of the possessors induced them to exclude themselves from the assemblies of their colleagues. In the reign of John the distinction was established between the lesser and the greater barons: and as the latter only continued to exercise the privileges, they at length were alone known by the title of barons.[92]

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[92] I am aware that in the opinion of some respectable antiquaries, a barony consisted of 13 knights' fees and one third. But their opinion rests on no ancient authority, and is merely an inference drawn from Magna Charta, which makes the relief of a barony equal to the reliefs of 13⅓ knights' fees. But the distinction of greater and lesser barons was then established; and the former, harassed with arbitrary reliefs (Glanville, ix. 4), had insisted that a certain sum should be fixed by law. If this prove that a barony consisted of 13⅓ knights' fees, the same reasoning will prove that an earldom consisted of 20, which is certainly false. I may observe, 1. that our ancient writers frequently comprise all the tenants of the crown under the name of barons. 2. That in the Dialogus

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3. According to a specious, but perhaps erroneous theory, fees are beneficiary grants of land, which originally depended for their duration on the pleasure of the lord, but were gradually improved into estates for life, and at last

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de Scaccario, their fees are divided into lesser and greater baronies (l. ii. c. 9). 3. That in the Liber Niger Scaccarii fee and barony are used synonymously; and some baronies are held by the service of thirty or forty knights, others by that of three or four. I will mention one instance, which proves both. Thus in the time of Hen. I. Nicholas de Grainville held his barony in Northumberland by the service of *three* knights. His successor William left only two daughters, who divided the barony between them. To the questions put from the king, Hugh of Ellington, who married one of the sisters, answers that he holds half of the *barony* by the service of one knight and a half; and Ralph de Gaugi, the son of the other sister, that he holds half of the *fee* by the service of one knight and a half (Lib. Nig. 332, 338). 4. In the constitutions of Clarendon under Henry II. it is determined that all bishops and parsons holding of the king in chief, hold in barony, and are bound to attend the king's court like other barons (Leg. Sax. 324). Hence it may be fairly inferred that laymen holding in chief, originally at least, held also in barony. 5. In the 14th of Edward II. a petition with respect to scutage was presented by "the prelates, "earls, barons, and others," stating "that the archbishops, bi- "shops, prelates, earls, and barons, and other great lords of the "land, held their baronies, lands, tenements, and honours in chief "of the king by certain services, some by three knights' fees, and "others by four, some by more and some by less, according to the "ancient feoffments, and the quantity of their tenure, of which "services the king and his ancestors have been seized by the hands "of the aforesaid archbishops, prelates, earls, and barons, &c." From the whole document it appears that, as the ecclesiastical tenants are sometimes distinguished from each other, and sometimes comprehended under the general designation of prelates; so the lesser tenants in chief are sometimes distinguished from the earls and barons, and sometimes comprehended with them under the general title of barons. Rot. Parl. i. 383, 384.

converted into estates of inheritance. But whatever might have been the practice in former ages, the fees created by William and his followers, were all granted in perpetuity, to the feoffees and their legitimate descendants. There were however two cases in which they might escheat or fall to the lord: when by failure of heirs the race of the first tenant had become extinct;[93] or by felony or treason the actual tenant incurred the penalty of forfeiture.[94] On this account an officer was appointed by the crown in every county to watch over its rights, and take immediate possession of all escheated estates. CHAP. I.

4. When the heir entered into possession of the fee, he was required to pay a certain sum to the lord under the name of a heriot among the Saxons, a relief among the Normans. By modern feudalists we are told that this was meant as an acknowledgment, that the fee was held from the bounty of the lord: but it may be fairly doubted whether their doctrine have any foundation in fact. Originally the heriot was demanded as due from the last tenant, and was discharged out of his personal estate:[95] Reliefs.

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[93] Glanv. vii. 17.

[94] Failure in military service was forbidden by the conqueror under the penalty of "full forfeiture." Leg. 217. 228. Canute had before enacted that if a vassal fled from his lord in an expedition, he should forfeit to the lord whatever he held of him, and to the king his other estates. Leg. 145.

[95] Edgar defines the heriot "a payment accustomed to be made "to the king for the great men of the land after their death,"

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he generally made provisions for the payment in his will: and it often appears in the form of a legacy, by which the vassal sought to testify his respect for the person, and his gratitude for the protection, of his lord.[96] By Canute the amount of the heriot was limited according to the rank of each tenant: by William that amount was considerably diminished. When he confirmed the law of Canute, he entirely omitted the demand of money, and contented himself with a portion of the horses and arms, the hounds and hawks of the deceased.[97] But the new regula-

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Apud Seld. Spicil. 153. Canute promises, if a man die intestate, to take no more of his property than the heriot: and if he die in battle for his lord, to forgive the heriot. Leg. 144. 146. William determines that the relief for a vavasor shall be the horse of the deceased, such as it was at his death. Leg. 223.

[96] We have several wills with such provisions. In that of Ælfhelm the first bequest is the heriot, 100 mancuses of gold, two swords, four shields, four spears, two horses with their equipments, and two without: and then an estate is ordered to be sold for 100 mancuses of gold to pay the *heriot*. Apud Lye, app. N° ii. It appears that under the Saxons some persons had obtained an exemption from this payment. There were a few in Kent. Nomina eorum de quatuor lestis non relevantium terram, similium Alnodo cilt. Otherwise all paid it, who had the jurisdiction of sac and soc. De terris eorum habet relevamen qui habent suam sacam et socam. Domesd. 1. a 2.

[97] Compare the laws of Canute (Leg. Sax. 144) with those of the conqueror (p. 223). Both equally refer to the personal estate of the deceased. If a knight were so poor that he left not horses and armour, William decided that his relief should be 100 shillings. This always remained the relief of a knight's fee. But the relief for a barony continued arbitrary (Glanv. ix. 4): obviously because baronies or fees held in chief of the king were some of greater and others of smaller value.

tion was soon violated: avarice again introduced pecuniary reliefs: and the enormous sums which were exacted by succeeding kings, became the frequent subject of useless complaint and ineffectual redress. CHAP. I.

5. The conqueror had solemnly pledged his word that he would never require more from his vassals than their stipulated services. But the ingenuity of the feudal lawyers discovered that there were four occasions on which the lord had a right to levy of his own authority a pecuniary aid on his tenants; when he paid the relief of his fee, when he made his eldest son a knight, when he gave his eldest daughter in marriage, and when he had the misfortune to be a captive in the hands of his enemies.[98] Of these cases the first could not apply to the tenants of the crown, because the sovereign, holding of no one, was not subject to a relief; but this advantage was counterbalanced by the frequent appeals which he made to their generosity, and which, under a powerful prince, it was dangerous to resist. They claimed, however, and generally exercised, the right of fixing the amount of such aids, and of raising them as they thought proper, either by the impost of a certain sum on every knight's fee, or the grant of a certain portion from the moveables of each individual, Aids.

[98] Glanv. ix. 8. Spelm. Arch. 53.

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varying according to circumstances from a fortieth to a fifth of their estimated value.

6. Fees of inheritance necessarily required limitations as to alienation and descent. The law would not permit the actual tenant to defeat the will of his lord, or the rights of his issue. Whatever he had acquired by purchase, or industry, or favour, remained at his own disposal: but the fee which he had received to transmit to his descendants, he could neither devise by will, nor alienate by gift or sale. After his death it went, whether he would or not, to the nearest heir, who inherited the whole, and was bound to perform the services originally stipulated.[99] It was, however, long before the right of representation in descents could be fully established. That the eldest son of the first tenant was the legitimate heir, was universally admitted: but considerable doubts were entertained, whether at the death of the second, the fee should descend to his son or his brother: for, if the former were the nearest in blood to the late possessor, the latter was nearest to the original feoffee. This uncertainty is the more deserving of the reader's attention, as in the descent of the crown it explains the occasional interruptions, which he has beheld in the line of representation, and the part which the thanes

[99] Leg. 266. Glanv. vii. 3.

or barons took in the election of the sovereign. If the son of the last king were a minor, the claim of the young prince was often opposed by that of his uncle, whose appeal to the great council was generally sanctioned by the national approbation.[100]

Wardships.

7. The descent of fees brought with it two heavy grievances, wardships and marriages, which were unknown in most feudal constitutions, and in England experienced long and obstinate opposition. That attempts had been made to introduce them at an early period, is not improbable: from the charter of Henry I. it is certain that both had been established under the reign of his brother William Rufus, perhaps even of his father, the conqueror.[101] After a long struggle it was finally decided that, when the heir was a minor, he should not hold the fee, because his age rendered him incapable of performing military service. The lord immediately entered into possession, and appropriated the profits to himself, or gave them to a favourite, or let them out to farm. Nor was this all. He separated the heir from his mother and relations, and took him under his own custody, on the ground that it was his interest to

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[100] Thus though Ethelred left two sons, Alfred succeeded to the throne. In the same manner Edred succeeded his brother Edmund, in preference to his nephews Edwy and Edgar.

[101] Chart. Hen. I. apud Wilk. Leg. 233. From the words of the charter the reader would not infer, that they were recent institutions.

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see that the young man was educated in a manner which might hereafter fit him for the performance of military service.[102] He was, however, obliged to defray all the expenses of his ward: and to grant to him, when he had completed his twenty-first year, the livery of his estate without the payment of the relief.[103]

Marriages.

8. But frequently the heirs were females; and, as *they* could not perform military service, every precaution was taken to guard against the prejudice, which might be suffered from their succession. Their father was forbidden to give them in marriage without the consent of the lord; which, however, *he* could not refuse without shewing a reasonable cause. When the tenant died, the fee descended to the daughter, or if they were more than one, to all the daughters in common. The lord had the wardship: as each completed her fourteenth year, he compelled her to marry the man of his choice; or, if he allowed her to remain single, continued to act as her guardian, and could prevent her from marrying without his advice and consent. After marriage the husband exercised all the rights of his wife, did homage in her place, and performed the accustomed services. The pretext

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[102] Quis, says Fortescue, infantem talem in actibus bellicis, quos facere ratione tenuræ suæ ipse astringitur domino feodi, melius instruere poterit aut velit quam dominus ille, cui ab eo servitium tale debetur, &c. De Laud. Leg. Ang. p. 105.

[103] Glanv. vii. 9. Spelm. 565.

for these harassing regulations, was a necessary attention to the interests of the lord, whose fee might otherwise come into the possession of a man unable or unwilling to comply with the obligations: but avarice converted them into a constant source of emolument, by selling the marriages of heiresses to the highest bidder.[104]

Changes in judicial proceedings.

IV. From the feudal tenures I may be allowed to pass to a few other innovations, which chiefly regard the administration of justice. 1. In the king's court all the members, in the inferior courts, the president and principal assessors, were Normans, who, while they were bound to decide in most cases according to the laws, were unable to understand the language, of the natives. For their instruction and guidance the statutes of the Anglo-Saxon kings were translated into Norman. But where the judges were unacquainted with more than one language, it was necessary that the pleadings should be in that idiom. In inferior tribunals much business was of necessity transacted in the language of the people: but in the king's court, which from its superior dignity and authority gradually drew all actions of importance to itself,

Use of the Norman language.

[104] Glanv. vii. 12. This grievance, with the whole system, was at last abolished by the statute of the 12th of Charles II. by which "all tenures by knight-service of the king, or of any other person, and by knight-service in capite, and soccage in capite of the king, and the fruits and consequences thereof were taken away or discharged, and all tenures of honours, manors, lands, &c. were turned into free and common soccage."

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causes were pleaded, and judgments given in the Norman tongue. This, added to the consideration that all persons enjoying influence and patronage were foreigners, made the study of that language a necessary branch of education: and those who hoped to advance their children either in church or state, were careful that they should possess so useful an acquirement.[105]

Excessive mulcts.

2. If the Anglo-Saxon laws abounded with pecuniary penalties, in the Norman code they were equally numerous and still more oppressive. By the former these mulcts were fixed and certain, apportioned with the most scrupulous exactitude to the supposed enormity of the offence: in the latter almost every transgression subjected the delinquent to an *amerciament*: that is, placed his personal estate at the *mercy* of his lord, who might take the whole, or only a part, at his pleasure. The king, indeed, ordered the Anglo-Saxon customs to be observed: but the prejudices or interest of the judges led them to impose the amerciaments of the Normans. This was an evil grievously felt

[105] Ingulf, 71. 88. He attributes the preference which the Normans gave to their own tongue to their hatred of the English. Ipsum etiam idioma tantum abhorrebant, quod leges terræ, statutaque Anglicorum regum lingua Gallica tractarentur, et pueris etiam in scholis principia literarum grammatica Gallice et non Anglice traderentur, p. 71. Their ignorance of the English tongue appears to me a much better reason; but still less can I believe with Holkot that the king entertained the absurd idea of abolishing the English language. Ead. Spicil. 189.

by the people: and to procure a remedy for the abuse, seems to have been one of the principal objects of those, who so frequently, for more than a century, petitioned that the laws "of the good king Edward" might be inviolably observed.

Penalty for murder.

3. Though the natives were at last compelled to submit to the invaders, they often gratified their revenge by private assassination. To provide for the security of his followers, the king did not enact a new, but revived an old, statute: and the same penalty which Canute imposed for the destruction of a Dane, was imposed by William for the violent death of a Norman. If the assassin was not delivered to the officers of justice within the space of eight days, a mulct of forty-six marks was levied on the lord of the manor, or the inhabitants of the hundred, in which the dead body had been found. But the two nations by intermarriages gradually coalesced into one people: at the close of a century it was deemed unnecessary, because it would have been fruitless, to inquire into the descent of the slain: and the law, which had been originally framed to guard the life of the foreigner, was enforced for the protection of every freeman.[106] In legal language the penalty was denominated the

[106] Leg. 224. 228. 280. Sic permixtæ sunt nationes, ut vix discerni possit hodie, de liberis loquor, quis Anglicus quis Normannus sit genere. Dial. de Scac. 26. Of course villeins or slaves were still reputed Englishmen. Ibid.

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"murder," a term which has since been transferred to the crime itself.

Wager of battle.

4. Both nations were equally accustomed to appeal in their courts to the judgment of God: but the Normans despised the fiery ordeals of the English, and preferred their own trial by battle as more worthy of freemen and warriors. The king sought to satisfy them both. When the opposite parties were countrymen, he permitted them to follow their national customs: when they were not, the appellee, if he were a foreigner or of foreign descent, might offer wager of battle, or, should this be declined, might clear himself by his own oath, and the oaths of his witnesses, according to the provisions of the Norman law. But if he were a native, it was left to his option to offer battle, to go to the ordeal, or to produce in his defence the usual number of lawful compurgators.[107]

Separation of the secular and spiritual courts.

5. In all the other christian countries in Europe the bishops were accustomed to give judgment in spiritual causes in their own particular courts: in England they had always heard and decided such causes in the courts of the hundred. William disapproved of this custom, and by advice of all his prelates and princes forbade the bishops and archdeacons to hear spiritual causes for the future in secular courts, authorized them to establish tribunals of their own,

[107] Dial. de Scac. 218. 230.

and commanded the sheriffs to compel obedience to the citations of the ecclesiastical judge. By some writers this innovation has been attributed to the policy of the clergy, who sought by the establishment of separate tribunals to render themselves independent on the secular power: by others to that of the barons, whose object it was to remove from the civil courts the only order of men, who dared to oppose a barrier to their rapacity and injustice. Perhaps the true cause may be found in the law itself, which merely seeks to enforce the observance of the canons, and to assimilate the discipline of the English to that of the foreign churches.[108] But whatever might be the design of the legislature, the measure was productive of very important consequences. The separation created a strong rivalry between the two jurisdictions, which will occupy the attention of the reader in a subsequent chapter; and by removing so respectable a magistrate as the bishop from the courts of the hundred, became one of the principal causes, why they gradually sunk into disrepute, and ultimately into desuetude.

Much of the Anglo-Saxon polity preserved.

V. These innovations will perhaps dispose the reader to conclude that the partiality or interest of William led him to new-model the whole frame of the Anglo-Saxon polity. But the inference is not warranted by the fact. As the northern tribes were all propagated from the

[108] Ibid. 292.

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same original stock, so their institutions, though diversified by time, and climate, and accident, bore a strong resemblance to each other, and the customs of the conquerors were readily amalgamated with those of the conquered. Of all the feudal services enforced by the Normans, there is not perhaps one of which some obscure trace may not be discovered among the Anglo-Saxons. The victors might extend or improve, but they did not invent or introduce, them. The ealdormen of former times, the greater and lesser thanes, the ceorls and theowas seem to have disappeared: but a closer inspection will discover the same orders of men existing under the new names of counts or earls, of barons, of knights and esquires, of free tenants, and of villeins and neifs. The national council, though it hardly contained a single native, continued to be constituted as it had been formerly, of the principal landed proprietors, the immediate vassals of the crown: it assembled at the same stated periods: it exercised the same judicial and legislative powers. The administration of justice was vested in the ancient tribunals, the king's court, the shire-motes, hundred-motes, and hall-motes: the statutes of the Anglo-Saxon kings, with the provincial customs known by the names of West-Saxon law, Mercian law, and Northumbrian law, were repeatedly confirmed; [109] and even the rights and

[109] Lex. Sax. 219. Ing. 88. Hov. 343.

privileges of every smaller district and petty lordship were carefully ascertained, and ordered to be observed.

Compilation of Domesday.

VI. It could not be supposed that the Normans in the provinces, foreigners as they were, and indebted for their possessions to the sword, would respect customs which they deemed barbarous, when they thought them prejudicial to their interests. But, while they tyrannised over the natives, they often defrauded the crown of its ancient rights; and the king, treading in the footsteps of the great Alfred, to put an end to all uncertainty, ordered an exact survey to be made of every hide of land in the kingdom. Commissioners were sent into the counties, with authority to impannel a jury in each hundred, from whose presentments and verdicts the necessary information might be obtained. They directed their inquiries to every interesting particular, the extent of each estate, its division into arable land, pasture, meadow, and wood: the names of the owner, tenants, and sub-tenants, the number of the inhabitants and their condition, whether it were free or servile: the nature and the obligations of the tenure, the estimated value before and since the conquest, and the amount of the land-tax paid at each of these periods.[110] The returns were transmitted to a

[110] In these inquiries the king was often deceived by the partiality of the jurors. Ingulf observes that this was the case with respect to the lands of his abbey. Taxatores penes nostrum mo-

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board sitting at Winchester, by which they were arranged in order, and placed upon record. The commissioners entered on their task in the year 1080, and completed it in 1086. The fruit of their labours was the compilation of two volumes, which were deposited in the exchequer, and have descended to posterity with the appropriate title of the Domesday, or book of judgment.[111]

The king's revenue.

VII. From the preceding notices the reader will be able to form some notion of many of the sources, from which the king's revenue was derived. 1. The rents of the crown lands were generally paid in kind, and allotted to the support of the royal household. 2. From his military tenants he received considerable sums under the different heads of reliefs, aids, wardships, and the marriages of heiresses. For un-

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nasterium benevoli et amantes non ad verum pretium nec ad verum spatium nostrum monasterium librabant, misericorditer præcaventes in futurum regiis exactionibus, et aliis oneribus piissima nobis benevolentia providentes, p. 79. He gives several other instances of false returns. See also Orderic, 678.

[111] The first volume is a large folio of vellum, and in 382 double pages, written in a small character, contains thirty-one counties, beginning with Kent, and ending with Lincolnshire. The other is a quarto volume of 450 double pages in a large character, but contains only the counties of Essex, Norfolk, and Sussex. There is no description of the four northern counties: but the West Riding of Yorkshire is made to comprehend that part of Lancashire which lies to the north of the Ribble, with some districts in Westmoreland and Cumberland: while the southern portion of Lancashire is included in Cheshire. Rutland is similarly divided between Nottinghamshire and Lincolnshire.

less the female ward purchased at a considerable price the permission to wed the man of her own choice, he always disposed of her in marriage by private sale, and obtained a greater or smaller sum in proportion to the value of her fee.[112] 3. Escheats and forfeitures continually occurred, and, whether the king retained the lands himself, or gave them after some time to his favourites, they always brought money into the exchequer. 4. The fines paid by litigants for permission to have their quarrels terminated in the king's courts, the mulcts, or pecuniary penalties, imposed by the laws, and the amerciaments, which were sometimes customary, generally arbitrary, according to the caprice or discretion of the judges, amounted in the course of each year to enormous sums. 5. He levied tolls at bridges, fairs, and markets, exacted certain customs on the export and import of goods, and received fees, and rents, and tallages, from the inhabitants of the burghs and ports.[113] Lastly, William revived the odious tax called the dane-gelt,

[112] As an instance Geoffry de Mandeville in the second year of Henry III. gave 20,000 marks to marry Isabella, countess of Glocester. Madox, 322.

[113] Orderic, 258. The tallage was an aid raised by the king's own authority on his demesne lands. The burghs and cities frequently offered a gift in lieu of the tallage, which was occasionally refused. Thus in the 39th of Henry III. the citizens of London offered two thousand marks; but were compelled to pay a tallage of three thousand. Brady, i. 178. Other lords raised tallages in a similar manner. The word has the same meaning as our present 'excise,' a cutting off.

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which had been abolished by Edward the confessor. It was frequently levied for his use, and, in some years at least, at the rate of six shillings on every hide of land. From all these sources money constantly flowed into the exchequer, till the king was reputed to be the most opulent prince in Christendom. His daily income, even with the exception of fines, gifts, and amerciaments, amounted, if we may believe an ancient historian, who seems to write from authentic documents, to 1061*l.* 10*s.* 1½*d.*:[114] a prodigious and almost incredible sum, if we reflect that the pound of that period was equal in weight to three nominal pounds of the present day, and that the value of silver was perhaps ten times as great as in modern times.

Rebellion of Norman barons. 1075.

After the surrender of Morcar, William had led an army into Normandy to support his interests in the province of Maine. His absence encouraged the malcontents in England to unfurl the banner of insurrection. But the rebels were no longer natives: they were Normans, dissatisfied with the rewards which they had received, and offended by the haughty and overbearing carriage of the king.[115] At their head

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[114] Orderic, 258.

[115] They accused him of having banished for life Warleng, earl of Mortagne, for an offensive expression; and of having procured by poison the death of Conan, earl of Bretagne, and of Walter, earl of Pontoise. Orderic, p. 303, 304. But it appears from William of Jumiege (vii. 19) that the words of Warleng were sufficient evidence of a conspiracy against

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were Roger Fitz-Osbern, who had succeeded his father in the earldom of Hereford, and Ralph de Guader, a noble Breton, earl of Norfolk. The latter, in defiance of the royal prohibition, had married the sister of the former: and the two earls, aware of William's vengeance, resolved to anticipate the danger. It was their object to prevent his return to England; to partition the kingdom into the three great divisions of Wessex, Mercia, and Northumbria; to take two of these for themselves, and to give the third to Waltheof, whose accession to the confederacy would, they expected, secure the co-operation of the natives. Waltheof refused to engage in the enterprise: but imprudently suffered himself to be sworn to secrecy. The plan of the conspirators was soon discovered to William de Warrenne, and Richard de Bienfait, the grand justiciaries: in a battle at Bicham in Norfolk, the rebels were defeated; and every prisoner made in the pursuit was punished with the loss of his right foot. The victors besieged Guader in his castle of Norwich during three months: at length, despairing of succour, he consented to quit the kingdom with his followers within a certain period; and after visiting Denmark, returned to his patrimonial estates in Bretagne.[116]

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his sovereign; and the other charges were but reports which had never been substantiated. See Maseres, Orderic, 305. Note.

[116] Lanfran. ep. 318. The battle was fought in campo, qui

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Their fate.

William had now returned from Normandy, and summoned a council of his barons at London. In this court Guader was outlawed: Fitz-Osbern was convicted of treason, and sentenced, according to the Norman code, to perpetual imprisonment, and the loss of his property. His father's services indeed pleaded forcibly in his favour: but his proud and ungovernable temper disdained to ask for mercy.[117] Waltheof was next arraigned. His secret had been betrayed by the perfidy of Judith; who had fixed her affections on a Norman nobleman, and was anxious to emancipate herself from her English husband. By the Anglo-Saxon law treason was punished with death and forfeiture: but the guilt of Waltheof was rather of that species, which has since been denominated misprision of treason. He had been acquainted with the conspiracy, and had not as a faithful vassal disclosed it to his sovereign. His judges were divided in opinion: and the unfortunate earl continued during a year, a close prisoner in the castle of Winchester. Archbishop Lanfranc

Execution of Waltheof. 1076.

Fagaduna dicitur, which I conceive to be a translation of the English name Beecham. Orderic, 318.

[117] When the king sent him a valuable present of clothes, he kindled a fire in his prison, and burnt them (Ord. p. 322). From another passage in the same writer we learn that earls were distinguished by a particular dress (Id. p. 327). It is probable the articles sent to Fitz-Osbern were of that description. They consisted of a vest of silk, interula serica, a mantle, chlamys, and a shorter cloak of the skins of martens, rheno de pretiosis pellibus peregrinorum murium. Ord. p. 322.

laboured to procure his release: but the intrigues of his wife, and of the nobleman who sought his estates, defeated the efforts of the primate. Waltheof was condemned to die, and executed at an early hour the next morning, before the citizens could be apprized of his intended fate. By the natives his death was sincerely deplored. They deemed him the victim of Norman injustice, and revered his memory as that of a martyr.[118]

The reader will be pleased to learn that the perfidy of Judith experienced a suitable retribution. William ordered her to marry a foreign nobleman, named Simon: but she refused to give her hand to a husband that was deformed. The king knew how to punish her disobedience. Simon married the eldest daughter of Waltheof,[119] and received the estates of her father: Judith was left to languish in poverty, unpitied by the English or the Normans, and the object of general hatred or contempt.[120]

The remaining transactions of the king's reign may be divided into those which regarded

The murder of Walcher.

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[118] I have chiefly followed Orderic (p. 302—327), who minutely describes the whole affair. According to some of our chroniclers Waltheof was more guilty, having at first embarked in the conspiracy. Malm. 58. Hunt. 211.

[119] This lady's name was Matilda. After the death of Simon she married David, who became king of Scotland in 1125. In her right he was earl of Huntingdon, which dignity for some centuries afterwards was annexed to the crown of Scotland. Scrip. Nor. p. 702.

[120] Ingulf, 73.

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his English, and those which regarded his transmarine, dominions. I. He led a powerful army into Wales, established his superiority over the natives of that country, and restored to freedom several hundreds of English slaves.[121] Malcolm of Scotland had renewed his ravages in Northumberland; and Robert, the eldest son of the conqueror, was sent to chastise his perfidy. But the two princes did not meet: and the only result of the expedition was the foundation of Newcastle on the left bank of the Tyne.[122] The earldom of the country had been given, after the condemnation of Waltheof, to Walcher, a native of Lorraine, who had been lately raised to the episcopal see of Durham. The bishop was of a mild and easy disposition: his humanity revolted from the idea of oppressing the inhabitants himself: but indolence prevented him from seeing or from restraining the oppressions of his officers. Liulf, a noble Englishman, had ventured to accuse them before the prelate; and in the course of a few days he was slain.

1080. May.

Walcher publicly declared his innocence of the homicide; compelled the murderers to offer the legal compensation; and engaged to act as mediator between them and the relations of Liulf. Both parties met by agreement at Gateshead: but the bishop perceiving indications of violence among the natives, retired into the church. It

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[121] Chron. Sax. 184. Hunt. 212.

[122] Simeon, 211. Bromp. 977. West. 228.

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was set on fire. He first compelled the murderers to go out, who were immediately slain. Unable to bear the violence of the flames, he wrapped his mantle round his head, and appeared at the door. A voice immediately exclaimed: "Good rede, short rede;[123] slay ye the bishop!" and he fell pierced with a number of wounds. The king commissioned his brother Odo to avenge the fate of Walcher. The guilty absconded at his approach: but Odo thinking it unnecessary to discriminate between guilt and innocence, executed without investigation such of the natives as fell into his hands, and ravaged the whole country.[124]

Imprisonment of Odo. 1082.

This prelate, who had so long enjoyed the friendship, was at last destined to experience the resentment, of his brother. Odo, not content with the rank which he held in Normandy and England, aspired to the papacy. The fortune of the Guiscard had excited the most extravagant expectations in the minds of his countrymen: and it was believed that with a Norman pope, the whole of Italy must fall under the yoke of the Normans. By what means Odo was to obtain the papal dignity, we are not told: but several of William's favourite officers had pledged themselves to follow the prelate. The scheme was defeated by the promptitude

[123] An old proverb—meaning that the shortest counsel is the best.

[124] Sim. 47. Malm. 62. Chron. Sax. 184. Flor. 639. Alur. Bev. 135.

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of the king; who seized the treasures designed for the enterprise, and ordered his attendants to apprehend his brother. They hesitated out of respect to the episcopal character. William arrested him himself: and, when Odo remonstrated, he replied: "It is not the bishop of "Bayeux, but the earl of Kent that I make my "prisoner." He remained in close confinement, till the death of the king.[125]

Projected invasion of Canute. 1085.

The conqueror had reached the zenith of his power, when a new and formidable antagonist arose in the north, Canute, the son of Sveno, who had succeeded to the throne of Denmark. Like the king of England he was an illegitimate child: but the disgrace of his birth was lost in the splendour of his abilities. Determined to claim the English crown, as successor of his namesake, Canute the great, he obtained a fleet of sixty ships from Olave, king of Norway, and a promise of another of six hundred sail from his father-in-law Robert, earl of Flanders. William felt considerable alarm: conscious that he could not depend on the affections of his subjects, he collected adventurers from every nation of Europe: the treasures which he had amassed with unfeeling avarice, were employed in the hire of auxiliaries; and the natives were astonished and dismayed at the multitudes of armed

[125] Chron. Sax. 184. Flor. 641. Malm. 63. Orderic apud Du Chesne, 573. The distinction between the bishop of Bayeux, and earl of Kent was suggested by Lanfranc. Knyghton, 2359.

foreigners, whom he introduced into the island.[126] For more than a year Canute lingered in the port of Haithaby.[127] His wishes were continually disappointed, and his commands disobeyed. The prevalence of contrary winds, or the deficiency of provisions, or the absence of the principal officers, prevented his departure. At length a mutiny burst forth, and the armament was dispersed. Some have ascribed the failure of the expedition to the influence of the presents, which William had distributed among the Danes: while others have referred it to the perfidious ambition of Olave, the brother of Canute.[128]

War between William and his son Robert.

II. When the king undertook the invasion of England, he had reason to fear for the security of his own dominions during his absence: and

[126] Chron Sax. 186. If the reader be surprised that William could engage such numbers of foreigners in his service, he should recollect that the Gothic nations were still attached to the habits of their fathers. From Tacitus (Germ. xiii. xiv.) we learn that the young men, as soon as they had solemnly received their arms, entered into the service of some celebrated chieftains: or, if their own tribe were at peace, sought military glory in some foreign nation. It was the same in the eleventh century. The young men, destined to the profession of arms, became the retainers of one of their chiefs at home, or travelled to seek their fortune abroad. Hence mercenaries were always to be obtained. As every baron sought to surround himself with knights and their esquires, the increased demand had increased their number: and as the duration of their services was frequently very limited, thousands were at all times ready to obey any call that promised wealth and glory.

[127] Now Haddeby, on the right bank of the river Schle, opposite to Schleswig. See Ethelwerd, 474.

[128] Chron. Sax. 187. Flor. 641. Malm. 60. Ælnoth, vit. Can. xiii. Chron. Petro. 51. Saxo, 217.

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on that account had attempted to allay the jealousy of the king of France, by stipulating, in the event of success, to resign Normandy to his eldest son Robert. The young prince was accordingly invested with the nominal government of the dutchy under the superintendence of his mother Matilda; and on two occasions was permitted to receive the homage of the Norman barons as their immediate lord. But when he had grown up, and claimed what he conceived to be his right, William gave him a peremptory refusal.[129]

Robert's discontent, which was kept alive by the secret suggestions of his friends, was roused into a flame by the imprudence of his brothers, William and Henry. These princes were proud of their superior favour with their father, and jealous of the ambitious pretensions of Robert. While the court remained for a few days in the little town of L'Aigle, they went to the house which had been allotted for the residence of their brother; and from a balcony emptied a pitcher of water on his head, as he walked before the door. Alberic de Grentmesnail exhorted him to avenge the insult: with his drawn sword he rushed up stairs: the alarm was instantly given: and William hastened to the spot, where he succeeded with difficulty in separating his children. But Robert secretly

[129] Orderic, 349.

withdrew the same evening, made an unsuccessful attempt to surprise the castle of Rouen, and meeting with supporters among the Norman barons, levied war upon his father.[130] He was, however, soon driven out of Normandy, and compelled to wander during five years in the neighbouring countries, soliciting aid from his friends, and spending on his pleasures the monies which they advanced. From his mother Matilda he received frequent and valuable presents: but William, though he excused her conduct on the plea of maternal affection, severely punished her messengers as wanting in duty to their sovereign. At last the exile fixed his residence in the castle of Gerberoi, which he had received from the king of France; and supported himself and his followers by the plunder of the adjacent country. William laid siege to the castle: and on one occasion the father and son accidentally engaged in single combat without knowing each other. The youth of Robert was more than a match for the age of William. He wounded his father in the hand, and killed the horse under him. Tokig, who brought the king a second horse, and several of his companions, were left dead on the field. William in despair of success retired from the siege: but his resentment was gradually appeased, and a reconciliation

[130] Orderic, 351.

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apparently effected, by the tears and entreaties of Matilda.[131]

William invades France. 1087.

As the king advanced in years, he grew excessively corpulent: and to reduce his bulk, submitted by the advice of his physicians to a long course of medicine. Philip of France, in allusion to this circumstance, said in a conversation with his courtiers, that the king of England was *lying in* at Rouen. When this insipid jest, which cost the lives of hundreds, who never heard of it, was reported to William, he burst into a paroxysm of rage. His martial spirit could not brook the indignity of being compared to a woman; and he swore that at *his churching* he would set all France in a blaze.[132]

Aug. 10. He was no sooner able to sit on horseback, than he summoned his troops, entered the French territory, pillaged every thing around him, and took by surprise the city of Mante, which during his minority had been severed from his patrimonial dominions. By the orders of the king, or through the wantonness of the soldiery, the town was immediately set on fire, and many of the inhabitants perished in the conflagration. William rode to view the scene, when his horse,

[131] According to Florence (619), as soon as Robert knew his father, he dismounted, and helped him on horseback: I have preferred the narrative of the Chronicon Lambardi (ad ann. 1079), as the more ancient authority.

[132] It was customary for the woman, who was churched, to bear in her hand a lighted taper.

chancing to tread on the embers, by a violent effort to extricate himself, threw the king on the pommel of the saddle; and the bruise produced a rupture accompanied with fever and inflammation. He was conveyed back in a dangerous state to the suburbs of Rouen, where he lingered for the space of six weeks.

His last illness.

During his illness he enjoyed the full use of his faculties, and conversed freely with his attendants on the different transactions of his reign. A few days before his death he assembled the prelates and barons round his bed, and in their presence bequeathed to his son Robert, who was absent, Normandy with its dependancies. It was, he observed, the inheritance which he had received from his fathers: and, on that account, he was willing that it should descend to his eldest son. To England he had no better right, than what he derived from the sword: the succession therefore to that kingdom he would leave to the decision of God: though it was his most ardent wish that it might fall to the lot of his second son. At the same time he advised William to repair to England, and gave him a recommendatory letter directed to archbishop Lanfranc. He had hitherto made no mention of Henry, the third brother: and the impatience of the prince urged him to inquire of his father what portion was left to him. "Five thousand "pounds of silver," was his answer. "But "what use can I have for the money," said the

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prince, "if I have not a home to live in?" The king replied: "Be patient: and thou shalt inherit the fortunes of both thy brothers." [133] William immediately began his journey for England: Henry hastened to the treasury and received his money.

After the departure of the two princes it was suggested to the king that if he hoped for mercy from God, he ought to shew mercy to man, and to liberate the many noble prisoners whom he kept in confinement. He first endeavoured to justify their detention, partly on the ground of their treasons, partly on the plea of necessity; and then assented to the request, but excepted his brother Odo, a man, he observed, whose turbulence would be the ruin of both England and Normandy. The friends of the prelate, however, were importunate: and at last by repeated solicitations extorted from the reluctant monarch an order for his immediate enlargement.

His death. Sept. 9.

Early in the morning of the ninth of September the king heard the sound of a bell, and eagerly inquired what it meant. He was informed that it tolled the hour of prime in the church of St. Mary. "Then," said he, stretching out his arms, "I commend my soul to my "lady, the mother of God, that by her holy

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[133] Ord. 655—660. This prophecy was probably invented after Henry's accession to the throne.

" prayers she may reconcile me to her son my " lord Jesus Christ:" and immediately expired. From the events which followed his death the reader may judge of the unsettled state of society at the time. The knights and prelates hastened to their respective homes to secure their property: the citizens of Rouen began to conceal their most valuable effects: the servants rifled the palace, and hurried away with their booty: and the royal corpse for three hours lay almost in a state of nudity on the ground. At length the archbishop ordered the body to be interred at Caen: and Herluin, a neighbouring knight, out of compassion, conveyed it at his own expense to that city. CHAP. I.

At the day appointed for the interment, prince Henry, the Norman prelates, and a multitude of clergy and people, assembled in the church of St. Stephen, which the conqueror had founded. The mass had been performed: the corpse was placed on the bier; and the bishop of Evreux had pronounced the panegyric of the deceased, when a voice from the crowd exclaimed, " He whom " you have praised was a robber. The very land " on which you stand is mine. By violence " he took it from my father; and in the name of " God I forbid you to bury him in it." The speaker was Asceline Fitz-Arthur, who had often but fruitlessly sought reparation from the justice of William. After some debate the prelates called him to them, paid him sixty shillings for His burial.

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the grave, and promised that he should receive the full value of his land. The ceremony was then continued, and the body of the king deposited in a coffin of stone.[134]

The king's character.

William's character has been drawn with apparent impartiality in the Saxon chronicle, by a contemporary and an Englishman. That the reader may learn the opinion of one, who possessed the means of forming an accurate judgment, I shall transcribe the passage, retaining, as far as it may be intelligible, the very phraseology of the original.

"If any one wish to know what manner of "man he was, or what worship he had, or of "how many lands he were the lord, we will "describe him as we have known him: for we "looked on him, and some while lived in his "herd. King William was a very wise man, "and very rich, more worshipful and strong "than any of his fore-gangers. He was mild "to good men, who loved God: and stark be-"yond all bounds to those who withsaid his "will. On the very stede, where God gave him "to win England, he reared a noble monastery, "and set monks therein, and endowed it well. "He was very worshipful. Thrice he bore his "king-helmet every year, when he was in Eng-"land; at Easter he bore it at Winchester, at

[134] Eadmer, p. 13. Order. 661, 662. In 1562, when Coligni took the city of Caen, his tomb was rifled by the soldiers, and some of his bones were brought to England. See Baker, p. 31.

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" Pentecost at Westminster, and in mid-winter
" at Glocester. And then were with him all
" the rich men over all England: archbishops,
" and diocesan bishops, abbots, and earls,
" thanes and knights. Moreover he was a
" very stark man, and very savage: so that
" no man durst do any thing against his will.
" He had earls in his bonds, who had done
" against his will: bishops he set off their
" bishoprics, abbots off their abbotries, and
" thanes in prisons: and at last he did not spare
" his own brother Odo. Him he set in prison.
" Yet among other things we must not forget
" the good frith which he made in this land:[135]
" so that a man, that was good for aught, might
" travel over the kingdom with his bosom full
" of gold without molestation: and no man
" durst slay another man, though he had suf-
" fered never so mickle evil from the other.
" He ruled over England: and by his cunning
" he was so thoroughly acquainted with it,
" that there is not a hide of land, of which he did
" not know, both who had it, and what was its
" worth: and that he set down in his writings.
" Wales was under his weald, and therein he
" wrought castles: and he wielded the isle of
" Man withal: moreover he subdued Scotland
" by his mickle strength: Normandy was his

[135] Frith is the king's peace or protection, which has been frequently mentioned, and the violation of which subjected the offender to a heavy fine.

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" by kinn: and over the earldom called Mans
" he ruled: and if he might have lived yet
" two years, he would have won Ireland by the
" fame of his power, and without any arma-
" ment. Yet truly in his time men had mickle
" suffering, and very many hardships. Castles
" he caused to be wrought, and poor men to be
" oppressed. He was so very stark. He took
" from his subjects many marks of gold, and
" many hundred pounds of silver: and that he
" took, some by right, and some by mickle
" might, for very little need. He had fallen
" into avarice, and greediness he loved withal."
" He let his lands to fine as dear as he could:
" then came some other and bade more than
" the first had given, and the king let it to him
" who bade more. Then came a third, and bid
" yet more, and the king let it into the hands
" of the man who bade the most. Nor did he
" reck how sinfully his reeves got money of
" poor men, or how many unlawful things they
" did. For the more men talked of right law,
" the more they did against the law." " He also
" set many deer-friths:[136] and he made laws
" therewith, that whosoever should slay hart or
" hind, him man should blind. As he forbade
" the slaying of harts, so also did he of boars.
" So much he loved the high-deer, as if he had
" been their father. He also decreed about

[136] Deer-friths were forests in which the deer were under the king's protection or *frith*.

" hares, that they should go free. His rich " men moaned, and the poor men murmured: " but he was so hard, that he recked not the " hatred of them all. For it was need they " should follow the king's will withal, if they " wished to live, or to have lands, or goods, or " his favour. Alas, that any man should be so " moody, and should so puff up himself, and " think himself above all other men! May " Almighty God have mercy on his soul, and " grant him forgiveness of his sins."[137]

To this account may be added a few particulars gleaned from other historians. The king was of ordinary stature, but inclined to corpulency. His countenance wore an air of ferocity, which, when he was agitated by passion, struck terror into every beholder. The story told of his strength at one period of life, almost exceeds belief. It is said, that sitting on horseback he could draw the string of a bow, which no other man could bend even on foot. Hunting formed his favourite amusement. The reader has seen the censure passed upon him for his deer-friths and game laws: nor will he think it undeserved, if he attend to the following instance. Though the king possessed sixty-eight forests, besides parks and chases, in different parts of England, he was not satisfied, but for the occasional accommodation of his court, afforested an extensive tract of country

[137] Saxon Chron. 189—191.

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lying between the city of Winchester and the sea coast. The inhabitants were expelled: the cottages and the churches were burnt: and more than thirty square miles of a rich and populous district were withdrawn from cultivation, and converted into a wilderness, to afford sufficient range for the deer, and ample space for the royal diversion. The memory of this act of despotism has been perpetuated in the name of the New Forest, which it retains at the present day, after the lapse of seven hundred and fifty years.

William's education had left on his mind religious impressions which were never effaced. When indeed his power or interest was concerned, he listened to no suggestions but those of ambition or of avarice: but on other occasions he displayed a strong sense of religion, and a profound respect for its institutions. He daily heard the mass of his private chaplain, and was regular in his attendance at the public worship: in the company of men celebrated for holiness of life, he laid aside that haughty demeanour, with which he was accustomed to awe the most powerful of his barons;[138] he willingly concurred in the deposition of his uncle Malger, archbishop of Rouen, who disgraced his dignity by the immorality of his conduct;[139] and showed that he knew how to value and recompense virtue, by endeavouring

[138] Chron. Sax. 189. Eadmer, 13. [139] Gul. Pict. 98.

to place in the same church the monk Guitmond, from whom he had formerly received so severe a reprimand.[140] On the decease of a prelate, he appointed officers to protect the property of the vacant archbishopric or abbey, and named a successor with the advice of the principal clergy.[141] Lanfranc, in his numerous struggles against the rapacity of the Normans, was constantly patronised by the king; who appointed him with certain other commissioners to compel the sheriffs of the several counties to restore to the church whatever had been unjustly taken from it since the invasion.[142]

His conduct with respect to ecclesiastical concerns.

There were, however, three points, according to Eadmer, in which the king unjustly invaded the ecclesiastical rights. 1. During his reign the christian world was afflicted and scandalized by the rupture between Gregory VII. and the emperor Henry IV., who in opposition to his adversary created an antipope, Guibert, bishop of Ravenna. The conflicting claims of these prelates, and the temporal pretensions of Gregory, afforded a pretext to William to introduce a new regulation. He would not permit the authority of any particular pontiff to be acknowledged in his dominions, without his previous approbation: and he directed that all letters issued from the court of Rome should, on their arrival, be submitted to the royal inspection. 2. Though he zealously concurred with arch-

[140] Orderic, 269. See p. 45. [141] Orderic, 233.

[142] See the original commission in Brady, ii. app. p. 3—6.

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bishop Lanfranc in his endeavours to reform the manners of both the clergy and the laity, yet so jealous was he of any encroachment on his authority, that without the royal licence he would not permit the decisions of national or provincial synods to be carried into effect.[143] 3. After the separation of the ecclesiastical courts from those of the hundred, he enacted such laws as were necessary to support the jurisdiction of the former: but at the same time forbade them either to implead, or to excommunicate any individual, holding in chief of the crown, till the nature of the offence had been certified to himself.[144]

A friendly intercourse by letters and presents subsisted between William and the pope Alexander II. Alexander was succeeded by the celebrated Hildebrand, who assumed the name of Gregory VII. The king congratulated the new pontiff on his advancement to the papacy. and in return was commended by him for his attachment to the holy see, for the zeal with which he enforced the celibacy of the clergy,[145]

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[143] Thus in the synod of London the bishops ask the king's permission to transfer the episcopal sees from one town to another: yet the translation of the see of Dorchester to Lincoln is said, in the original charter, to be made by the advice and authority of pope Alexander, his legates, the archbishop Lanfranc, and the other prelates. Monast. Ang. iii. 258. [144] Eadmer, 6.

[145] In the synod of Winchester it had been decreed that such priests in country places as were married, might retain their wives, but that no one for the future should be ordained, who did not make a vow of celibacy. Wilk. con. i.

CHAP. I.

and for his piety in not exposing to sale, like other kings, the vacant abbeys and bishoprics.[146] The Peter-pence had been annually paid during the pontificate of Alexander; but after his death it had for some unknown reason been suspended during a few years.[147] Gregory, who considered it as a feudal prestation, had commissioned his legate Hubert to require not only the payment of the money, but as a consequence of that payment the performance of homage. Such a requisition to a prince of William's imperious temper must have been highly irritating. But his answer, though firm, was respectful. He acknowledged the omission of the payment, and promised that it should be rectified: but to the demand of homage he returned an absolute refusal. He had never promised it himself: his predecessors had never performed it: nor did he know of any other ground on which it could be claimed with justice.[148] Though Gregory was disappointed, yet, beset as he was with enemies, he had the prudence to suppress his feelings, and till his death in 1085, continued to correspond with the king, who acknowledged him as the legitimate successor of St. Peter, and refused to admit a legate from the antipope Guibert.[149]

[146] Ep. Greg. VII. l. i. ep. 70, 71. ix. 5.

[147] Baron. ad ann. 1068, n. 1. ad ann. 1079, n. 25. Selden, Spicil. ad Ead. 164. The Peter-pence was not peculiar to England. It had been established in Gaul by Charlemagne. Greg. VII. ep. ix 1.

[148] Ibid.

[149] Baron. ad ann. 1080, n. 23. Greg. VII. ep. vii. 23. 25.

CHAP. I.

Famine and pestilence during his reign.

During William's reign the people of England were exposed to calamities of every description. It commenced with years of carnage and devastation: its progress was marked by a regular system of confiscation and oppression: and this succession of evils was closed with famine and pestilence. In 1086 a summer, more rainy and tempestuous than had been experienced in the memory of man, occasioned a total failure of the harvest: and the winter introduced a malignant disease, which attacked one half of the inhabitants, and is said to have proved fatal to many thousands. Even of those who escaped the infection, or recovered from the disease, numbers perished afterwards from want, or unwholesome nourishment. "Alas," exclaims an eye-witness, "how miserable, how "rueful a time was that. The wretched vic- "tims had nearly perished by the fever: then "came the sharp hunger, and destroyed them "outright. Who is so hard-hearted as not to "weep over such calamities?" [150]

[150] Chron. Sax. 188.

CHAP. II.

WILLIAM II.

CONTEMPORARY PRINCES.

Emp. of Ger.	*Kings of Scotland.*	*K. of France.*	*K. of Spain.*	*Popes.*
Henry IV.	Malcolm III. died in 1093 Donald Bane, dep. 1094 Duncan ... died in 1094 Donald Bane .... 1097 Edgar.	Philip I.	AlphonsoVI.	Urban II. died in 1099. Paschal II.

WILLIAM SUCCEEDS—HIS WARS WITH HIS BROTHER ROBERT—HE OBTAINS NORMANDY WHILE ROBERT GOES TO THE HOLY LAND—INVADES SCOTLAND—AND WALES—HIS RAPACITY—HE PERSECUTES ARCHBISHOP ANSELM—IS KILLED IN THE NEW FOREST—HIS CHARACTER.

CHAP. II.

Robert succeeds to Normandy. 1087.

THE conqueror had left three sons by Matilda. Robert, the eldest, resided a voluntary exile in the town of Abbeville, and supported himself and his associates by frequent incursions into his native country.[1] On the death of his father he repaired in haste to Rouen, and was acknowledged without opposition for duke of Nor-

[1] Robert was corpulent, and below the ordinary stature. From this circumstance his father called him Gambaron, and Courthose; that is, literally, Round-legs, and Short-hose: surnames which he retained as long as he lived.

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mandy. This prince was open, generous, and brave; but at the same time thoughtless, fickle, and voluptuous. His credulity made him the dupe of the false and designing: and his prodigality often reduced him to a state of poverty and dependance. If his courage was occasionally roused into action, his exertions were but temporary, and he soon relapsed into habits of ease and indulgence. Pleased with the acquisition of the ducal coronet, he let slip the golden opportunity of placing on his head the crown of England: in a few years he lost the dutchy of Normandy by his indolence and misconduct; and at last he terminated his life in a dungeon, the prisoner of his youngest brother.

William, surnamed Rufus, or "the red," was the next in age, and with the ambition had inherited the promptitude and policy of his father. He was the conqueror's favourite, had accompanied him in all his journeys, and fought by his side in all his battles. From the bed of the dying monarch he hastened to England, accompanied by Bloet, a confidential messenger, and the bearer of a recommendatory letter to Lanfranc, who, though he had been William's preceptor, had conferred on him the honour of knighthood,[2] and secretly supported his pretensions, refused to declare in his favour, till the

William hastens to England.

[2] This ceremony is thus described. Eum lorica induit, et galeam capiti ejus imposuit, eique militiæ cingulum in nomine domini cinxit. Orderic, 665.

prince had promised upon oath (many of his friends also swore with him) that he would govern according to law and justice, and would ask and follow the advice of the primate.[3]

A council of the prelates and barons was then summoned to proceed to the election of a sovereign. Though the principles of hereditary succession were still unsettled, yet the English history furnished no precedent, in which the younger had been preferred to the elder brother. But of the friends of Robert many were in Normandy; others were silenced by the presence, or won by the promises, of William: and Lanfranc directed the whole influence of the church in his favour. In the third week from the death of his father he was chosen king, and was immediately crowned with the usual solemnities.[4]

He is crowned Sept. 26.

The third and remaining son was named Henry. His portion of five thousand pounds did not satisfy his ambition: but necessity compelled him to acquiesce for the present; and he silently watched the course of events, determined to seize the first opportunity of aggrandizement, which fortune or the misconduct of his brothers might throw in his way.

Henry lives in privacy.

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[3] Eadm. 13. William's pretensions rested solely on the wish in his favour expressed by his father, who, though he could not prevent his eldest son from succeeding to Normandy, because it was the patrimony of the family, might, it was contended, dispose of the crown of England as he pleased, because he had not inherited it from his father, but had acquired it.

[4] Chron. Sax. 192.

CHAP. II.

Fate of the captives.

It has been mentioned that the conqueror on his death-bed had consented to the liberation of his prisoners. Of these the Normans recovered their former estates and honours both in England and on the continent: Ulf, the son of Harold, and Duncan, the son of the king of Scots, repaired to Rouen, received from Robert the order of knighthood, and were dismissed with valuable presents: the earl Morcar, and Wulfnoth, the brother of Harold, followed William to England with the vain hope of obtaining suitable establishments in their own country. But the cautious policy of the new monarch had prepared for them a different reception. They were arrested at Winchester, and confined in the castle.[5]

Conspiracy against William. 1088.

Odo of Bayeux had always hated Lanfranc as his personal enemy; and William now became the object of his aversion, because the young prince listened to the counsel of Lanfranc. By his intrigues he soon formed a party in favour of Robert. It required no great eloquence to persuade those, who had possessions both in England and Normandy, that it was for their interest to hold their lands of one and the same sovereign: and, if a choice were to be made between the two brothers, there could be no doubt that the easy and generous disposition of Robert

[5] Sim. 214. Hoved. 264. Alur. Bev. 136. William had excepted Roger Fitz-Osbern from this act of clemency. He remained in prison till death. Orderic, apud Maseres, 322.

deserved the preference before the suspicious temper and overbearing carriage of William. According to custom the king held his court at the festival of Easter. The discontented barons employed the opportunity to mature their plans. and departed to raise the standard of rebellion in their respective districts; Odo in Kent, William, bishop of Durham, in Northumberland, Geoffry of Coutances in Somerset, Roger Montgomery in Shropshire, Hugh Bigod in Norfolk, and Hugh de Grentmesnail in the county of Leicester. The duke of Normandy was already acquainted with their intention: but instead of waiting for his arrival, or of uniting their forces against their enemy, they contented themselves with fortifying their castles, and ravaging the king's lands in the neighbourhood.[6]

Banishment of Odo.

In this emergency William owed the preservation of his crown to the native English, whose eagerness to revenge the wrongs which their country had received from the Norman chieftains, led them in crowds to the royal standard. The earl bishop, conceiving that the first attempt of his nephew would be directed against the strong castle of Rochester, had intrusted that fortress to the care of Eustace, earl of Boulogne, with a garrison of five hundred knights: and retiring to Pevensey, awaited with impatience the promised arrival of Robert. The

[6] Chron. Sax. 193, 194. Orderic, 665, 666. Sim. 214. Paris, 12.

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king followed him thither, shut him up within the walls, and after a siege of seven weeks, compelled him to surrender. His life and liberty were granted him on the condition that he should swear to deliver up the castle of Rochester, and to quit England for ever. Odo was conducted with a small escort to the fortress: but Eustace easily discerned the contradiction between his words and his looks, and pretending that he was a traitor to the cause, made both the bishop and his guard prisoners. The success of this artifice inflamed the indignation of William: messengers were dispatched to hasten reinforcements:[7] and the place was vigorously attacked and as obstinately defended, till the ravages of a pestilential disease compelled the earl of Boulogne to propose a capitulation. It was with difficulty that the Normans in the king's service, prevailed on him to spare the lives of the garrison; but the request of Odo, that at his departure the besiegers should abstain from every demonstration of triumph,

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[7] All freemen from towns and manors, were ordered to attend under the penalty of being pronounced "nithings." Chron. Sax. 195. Nithing or nithering nequam sonat. Malm. 68. Paris, 12. Similar instances are to be met with on other occasions, when the king under the same penalty summons all persons able to bear arms. It was what in Normandy was called the Arriere bann. Besides ordinary expeditions, in which the prince could claim only the services of his own tenants, he might also publish l'arrierban, auquel trestous, grans et petits, pourtant que ils soient convenables pour armes porter, sont tenu sans excusation nulle, a fair lui aid et profit a tout leur poair. Du Fresne, iii. 832.

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was contemptuously refused. The moment he appeared, the trumpets were ordered to flourish: and as he passed through the ranks, the English sounded the words, "halter and gallows" in his ears. He slunk away, muttering threats of vengeance, and embarking on board the first vessel he could procure, directed his course to Normandy.[8]

Insurgents reduced.

The hopes of the insurgents were now at an end. The characteristic indolence of Robert had caused him to procrastinate his voyage to England, till the favourable opportunity had passed away: and the scanty succours which he had sent to his partisans, had been intercepted by the English mariners. Montgomery had made his peace with the king: the city of Durham had surrendered to an army of royalists; and the rebels in the neighbourhood of Worcester had been defeated with the loss of five hundred men by the tenants of Wulstan, bishop of that city. The principal insurgents, reduced to despair, escaped to Normandy: their estates were divided among the faithful friends of the king.[9]

State of Normandy.

In describing the sequel of William's reign I shall desert the chronological order of events, and collect them under appropriate heads: an arrangement which will relieve the attention of

[8] Chron. Sax. 195. Orderic, 667—669. Sim. 215. Alur. Bev. 137. [9] Chron. Sax. ibid. Sim. 215. Malm. 67, 68.

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the reader, at the same time that it abridges the toil of the writer. I. Normandy at this period presented a wide scene of anarchy and violence. Robert held the reins of government with a feeble grasp, and his lenity and indecision exposed him to the contempt of his turbulent barons. The conqueror had compelled them to admit his troops into their castles: but at his death they expelled the royal garrisons, levied forces, and made war on each other. The new duke would not, or dared not, interfere. He consumed his revenue in his pleasures: and by improvident grants diminished the ducal demesnes. His poverty compelled him to solicit the assistance of Henry, to whom he sold for three thousand pounds the Cotentin, almost the third part of the dutchy: and his jealousy induced him to order the arrest and confinement of the same prince, as soon as he returned from England, where he had gone to claim the dower of his mother Matilda. To William, who sought to be revenged on Robert, and who never refused to employ the aid of bribery or fraud, this disturbed state of things offered an alluring prospect: and by means of a judicious distribution of presents, his forces obtained possession of St. Valeri, of Albemarle, and of almost every fortress on the right bank of the Seine. Alarmed at so dangerous a defection, the duke solicited the interference of the king of France, who marched a powerful army to the confines of

William invades the dutchy. 1090.

Normandy, but on the receipt of a considerable sum from England, returned into his own dominions.[10]

Attempt to take Rouen.

At the same time Robert nearly lost Rouen, the capital of Normandy. Conan, the wealthiest and most powerful of the citizens, had engaged to deliver it up to William, and the duke, to defeat the project, solicited the aid of Henry, whom he had lately released, and of several of his barons. On the third of November at the same hour Gilbert de L'Aigle was seen to the south of the city leading a body of men to the assistance of Robert: while Reginald de Warrenne appeared on the north with three hundred knights in the service of the king of England. The adherents of Conan instantly divided to receive their friends, and repulse their foes: Robert and Henry descended from the castle with their followers; and the streets of the city were filled with confusion and bloodshed. So doubtful was the issue, that the duke, at the request of his friends, withdrew to a place of safety: but at last the English were expelled; and Conan was conducted a captive into the fortress. By Robert he was condemned to perpetual confinement: but Henry, who was well acquainted with the lenity of his brother, requested and obtained the custody of the prisoner. He immediately led him to the highest tower, bade him survey

[10] Alur. Bev. 138.

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the beauty of the surrounding scenery, and then seizing him by the waist, hurled him over the battlements. The unhappy Conan was dashed to pieces: the prince turning to the by-standers coolly observed, that treason ought never to go unpunished.[11]

Peace between the two brothers. 1091.

In the following January William crossed the sea with a numerous army. By the Normans, who derived advantage from the calamities of their country, his arrival was hailed with welcome: but the barons, who held lands under both the brothers, laboured to effect a reconciliation; and a treaty of peace was negotiated under the mediation of the French monarch. The policy of William again triumphed over the credulity of Robert. He retained possession of the fortresses which he had acquired in Normandy: but promised to indemnify his brother by an equivalent in England, and to restore to their estates his friends, who had been attainted for the late insurrection. By an additional article it was stipulated that, on the decease of either of the two princes, the survivor should succeed to his dominions.[12]

Expulsion of Henry.

The principal sufferers by this treaty were Edgar the etheling, and prince Henry. Edgar had been the confidential friend of Robert: but at the demand of William he was deprived of

[11] Compare Malmsbury (p. 88), with Orderic (p. 690).

[12] Chron. Sax. 196, 197. Al. Bev. 138.

his estates in Normandy, and compelled to seek an asylum with his brother-in-law, the king of Scotland. The abilities and pretensions of Henry had long been subjects of alarm to both the king and the duke. They now united their forces, took possession of his castles, and besieged him on mount St. Michel, a lofty rock, which by the influx of the tide was insulated twice in the day. The place was deemed impregnable: but the want of water caused it to be evacuated by the garrison at the end of a fortnight; and Henry with difficulty obtained permission to retire into Bretagne. For two years he wandered in the Vexin, suffering the privations of poverty, and attended only by a knight, a chaplain, and three esquires. At length he accepted from the inhabitants of Damfront the government of their town; and gradually recovered the greater part of his former possessions.[13]

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The siege of mount St. Michel was distinguished by an occurrence, which has been celebrated by our historians as a proof of William's magnanimity. Riding alone he espied at a distance a few cavaliers, belonging to the enemy, whom he immediately charged with his usual intrepidity. In the shock he was beaten to the ground: and his horse, which had been wounded, dragged him some paces in the stirrup. His

[13] Orderic, 696. 698.

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adversary had already raised his sword to plunge it in the breast of the fallen monarch, when William exclaimed: "Hold, fellow, I am the "king of England." Awed by his voice, his opponents raised him from the ground: a fresh horse was offered him: and the king vaulting into the saddle, inquired which of them was his conqueror. The man apologized for his ignorance. "Make no excuse," replied William, "you "are a brave and worthy knight. Henceforth "you shall fight under my banner." [14]

War renewed in Normandy.

By what pretexts the king eluded the execution of his treaty with Robert, we are ignorant. It was in vain that the duke accompanied him to England to receive the promised indemnity; in vain that he repeated his demand by successive

1094.

messengers. At length he dispatched two heralds, who, having obtained an audience, renounced, in the name of their master, the friendship of William, and declared him a false and perjured knight. To defend his honour the king followed them to Normandy, and pleaded his cause before the twenty-four barons, who, at the signature of the treaty, had sworn, twelve on the one side, and twelve on the other, to enforce its execution. They decided in favour of Robert: and from their decision William appealed to the sword. Success attended his first efforts: but the balance was turned by the arri-

[14] Malm. 68.

val of the king of France to the assistance of his vassal, and by the subsequent surrender of Argentsey and Hulme, with fifteen hundred knights, their esquires and followers. William had again recourse to his usual expedient of bribery: and the manner in which he raised the money deserved the praise of ingenuity. He had demanded reinforcements from England: and twenty thousand men were assembled: but when they had been drawn up to embark, each soldier was ordered to pay ten shillings for the king's use, and to march back to his own home.[15] With the money thus acquired William purchased the retreat of the French king, and despising the unassisted efforts of his brother, returned, after an inglorious campaign, to his English dominions.[16]

Robert mortgages his dominions.

But that which the king had so long endeavoured to obtain by force, was at last spontaneously surrendered by the chivalrous spirit of Robert. It was the era of the crusades. Urban II., who filled the papal chair, had received the most urgent letters from the patriarch of Jerusalem, and the emperor of Constantinople. The former painted in lively colours the sufferings of the oriental christians under the yoke of their mohammedan masters: the latter sought

[15] The sum was what each had received from his lord, or was supposed to carry with him, for his support during the campaign. Pecuniam, quæ ipsis ad victum data fuerat, unicuique decem solidos, abstulit. Alur. Bev. 141. [16] Chron. Sax. 198. 200, 201.

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to alarm the western nations by describing the danger to which the imperial city itself was exposed from the near approach of the Saracens. Their representations were successful; and the pontiff determined to oppose the enthusiasm of the christians to the enthusiasm of the infidels. The spirit of adventure, which had distinguished the tribes of the north, was still alive in the breasts of their descendants: and he judged rightly that it would prove invincible, if it were sanctified and directed by the impulse of religion. When, in the council of Clermont, he advised an expedition for the recovery of the holy land, the proposal was received with the unanimous cry, that it was the will of God. Those who had listened to the animating voice of the pontiff, in their return to their homes diffused the same fervour among their countrymen: and thousands hastened from every corner of Europe, to shed their blood in the cause of the cross, and to rescue from pollution the
1096. sepulchre of Christ. The adventurous mind of Robert burnt to share in the enterprise: but to appear among the confederate princes with the splendour due to his birth and station, required an expense to which his poverty was unequal. As his only resource he applied to the avarice of his brother: and in consideration of the sum of ten thousand marks offered him the government of his dominions during the five following years. The proposal was instantly accepted. William

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summoned a great council, and, alleging his poverty, appealed to the generosity of his faithful barons: they, on their return home, required in the same manner the aid of their tenants: and the whole amount, wrung in reality from the lower orders in the state, was paid into the exchequer, and transmitted to Normandy. Robert departed with a joyful heart in quest of dangers and glory: William sailed to the continent, and demanded immediate possession of Normandy, and of Le Maine.[17]

William opposed in Maine.

By the Normans he was received without opposition: the Mangeaux unanimously rejected his authority in favour of Helie de la Flêche. Helie was the nephew of Herbert the last earl, by the youngest of his three sisters. The eldest had been married to Azo, marquis of Liguria; and the second was betrothed to Robert, the son of the conqueror. Though she died before the marriage could be celebrated, Robert claimed the succession, conquered Le Maine with the aid of his father, and did homage for the earldom to Fulk of Anjou, the superior lord. The Mangeaux rebelled: the son of the eldest sister sold his claim to Helie for ten thousand shillings: and the young adventurer by his own prowess and the favour of the natives obtained possession of the earldom. Though he had taken the cross, the claims and menaces of William detained 1099.

[17] Chron. Sax. 204. Order. 713. 764. Al. Bev. 142. Malm. 70.

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him at home: but one day, having incautiously entered a wood with no more than seven knights, he was made prisoner by Robert Talavace; and the king immediately marched at the head of fifty thousand horsemen into his territories. Fulk had already arrived to protect his vassal: a few skirmishes were succeeded by a negotiation: and Helie obtained his liberty by the surrender of Mans. The earl, dispossessed of his dominions, offered his services to William: but at the instigation of Robert earl of Mellent they were indignantly refused. "If you will not have me "for a friend," exclaimed Helie, "you shall "learn to fear me as an enemy." "Go," replied the king, "and do thy worst." [18]

Hastens to that province. 1100.

The next summer William was hunting in the New Forest in Hampshire, when a messenger arrived to inform him, that Helie had defeated the Normans, and surprised the city of Mans: that the inhabitants had again acknowledged him for their earl: and that the garrison, shut up in the castle, would soon be reduced to extremity. The impatience of the king could hardly wait for the conclusion of the tale, when, crying out to his attendants, "Let those that love me, "follow," he rode precipitately to the sea shore, and embarked in the first vessel which he found. The master remonstrated that the weather was stormy, and the passage dangerous. "Hold

[18] Orderic, 769. 771—773.

"thy peace," said William, "kings are never "drowned." He landed the next day at Barfleur, assembled his troops, and advanced with such rapidity, that Helie could scarcely find time to save himself by flight. The king ravaged the lands of his enemies, and returned to England.[19]

War with Scotland. 1091.

II. Of the hostilities between England and Scotland the blame must rest with the king of Scots, who lost his life in the contest. William was in Normandy prosecuting his designs against Robert, when Malcolm suddenly crossed the frontiers, and gratified the rapacity of his followers with the spoil of the northern counties. After the reconciliation of the two brothers, the king of England undertook to revenge the insult. As he marched through Durham, he restored the bishop of that see. His fleet was dispersed in a storm; but his cavalry traversed the Lothians, and penetrated as far as the great river, which the Scots called "the water."[20] The hostile armies were ranged on the opposite shores; and the two kings had mutually defied each other, when a peace was concluded through

[19] Orderic, 774. Chron. Sax. 207. Malm. 70. This writer tells us that Helie was again taken, and being addressed by the king in these words: "I have you at last, sir;" replied, "Yes, chance "has been in your favour: but were I at liberty, I know what I "would do." "Go, then," said William, "and if you get the "better, by the face of Lucca (his usual oath), I will demand no "return for your freedom." This appears to me no more than a second version of the conversation mentioned above. On the death of William, Helie recovered his earldom. Orderic, 784.

[20] Order. 701.

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Submission of Malcolm.

the mediation of Robert of Normandy on the one side, and of Edgar the etheling, on the other. Malcolm submitted to do homage to the English monarch, and to render him the services which he had rendered to his father; and William engaged to grant to the Scottish king the twelve manors, and the annual pension of twelve marks of gold, which he had enjoyed under the conqueror.[21] Nor was the interest of the etheling forgotten in the negotiation. He was permitted to return to England, and obtained a distinguished place in the court of William.

The war renewed. 1092.

Two hundred years had elapsed since Carlisle was laid in ruins by the Northmen. When the conqueror returned from his Scottish expedition, he found it in the possession of one of his barons, and admiring the situation, ordered it to be fortified. William adopted the policy of his father. He visited the spot, expelled Dolphin, the lord of the district, peopled the city with a colony of Englishmen from the southern coun-

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[21] The mention of these twelve manors will bring to the reader's recollection the twelve villæ, which Edgar had given to Kenneth, that he might have habitations of his own when he was on his journey to attend the English court (See the reign of Edgar, vol. i. p. 324). Some question has been raised as to the place where the kings met, because the Chronicle says, that Malcolm "came "out of Scotland into Lothian in England." Chron. p. 197. Perhaps the difficulty will disappear, when we recollect that by the writers of this age the name of Scotland was confined to the territory lying north of the Forth.

ties, and built a castle for their protection.[22] It is possible that, as Cumberland was formerly held by the heir of the Scottish crown, Malcolm might consider the settlement of an English colony at Carlisle, as an invasion of his rights: it is certain that a new quarrel was created between the two nations, of which we know not the origin or particulars. The Scottish king was invited or summoned to attend William's court at Glocester; and at his arrival found himself excluded from the royal presence, unless he would consent to plead his cause, and submit to the judgment of the English barons. Malcolm indignantly rejected the proposal. The kings of Scotland, he said, had never been accustomed "to do right" to the kings of England but on the borders of the two realms, and according to the joint decision of the barons of both countries.[23] He retired in anger, assembled his retainers, and burst with a numerous force into Northumberland, where he perished, a victim to the wiles of his enemy, perhaps to the treachery of his own subjects. The Scottish army was surprised by Robert Mowbray. Malcolm fell by the sword of Morel, Mowbray's steward: his eldest son Edward

1093. Aug. 8.

Nov. 13.

[22] West. 227. Chron. Sax. 198.

[23] Rectitudinem facere. Alur. Bev. 139. Sim. Dun. 218. Flor. 645. This expression has been explained to do homage. It means to answer for any alleged failure in the performance of feudal services.

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shared the fate of his father; and of the fugitives who escaped the pursuit of their foes, the greater number was lost in the waters of the Alne and the Tweed. The bodies of the king and his son were buried by peasants in the abbey of Tinmouth; and the mournful intelligence hastened the death of his consort queen Margaret, who survived her husband only four days.[24]

Succession to the crown of Scotland.

The children of Malcolm, too young to assert their rights, sought the protection of their uncle the etheling Edgar in England: and the Scottish sceptre was seized by the ambition of Donald Bane, the brother of the deceased monarch. He found a competitor in Duncan, an illegitimate son of Malcolm, who had long resided as an hostage in the English court. The nephew, with the aid of William, to whom he swore fealty, proved too strong for the uncle; and Donald secreted himself in the highlands, till

1094. the murder of Duncan by Malpeit, earl of Mearns, replaced in his hands the reins of government. He held them only three years. The etheling

[24] Chron. Sax. 197—199. Sim. 218. Orderic, 701. The Scottish historians pretend that Malcolm was killed at the siege of Alnwick by the perfidy of the governor, who, pretending to offer him the keys of the place at the end of a spear, pushed the spear into his brain. It may be granted that there was something disgraceful in the transaction from the expressions of Orderic, (701), and of the Chronicle (beswykene 199): but the Scottish account seems inconsistent with the fact, that the bodies of Malcolm and Edward were found on the ground by peasants, and buried by them at Tynemouth, a considerable distance from Alnwick.

with the consent of the English king conducted an army into Scotland, seated his nephew Edgar on the throne, and restored the children of his sister Margaret to their former honours. Donald, who had been taken in his flight, and committed to prison, died of grief.[25] CHAP. II. 1097.

III. Ever since Harold had effected the reduction of Wales, the natives had acknowledged themselves the vassals of the king of England: but their ancient hostility was not yet extinguished, and the prospect of plunder, with the chance of impunity, led them repeatedly to ravage the neighbouring counties. To repress their inroads the conqueror had ordered castles to be built on the borders, which he intrusted to the care of officers, denominated marquesses, or lords of the marches.[26] These marches were the constant theatre of predatory warfare, and barbarian revenge. But in 1094 the natives of every district in Wales rose in arms: the isle of Anglesey was reduced: and Cheshire, Shropshire, and Herefordshire, from one extremity to the other, were desolated with fire and sword. The next year the insurgents surprised the castle of Montgomery, and massacred the inhabitants. The resentment of William urged Incursions of the Welsh. 1095.

[25] Chron. Sax. 199. 201. 206. Malm. 89. Sim. 219. Flor. 646. The contemporary chroniclers represent Duncan as soliciting and obtaining from William a grant of the kingdom of Scotland. Ut ei regnum sui patris concederet, petiit et impetravit; illique fidelitatem juravit. Sim. Dun. 219. Flor. 646. See also Ethelred, 343.

[26] Orderic, 670.

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him to retaliate: and, in imitation of Harold, he undertook to traverse the whole principality at the head of an army. But the heavy cavalry of the Normans was ill adapted to the invasion of a rugged and mountainous country. The Welsh had the wisdom not to oppose his progress: but they hovered on his flanks, drove forward his rear, and cut off his detachments: and when the king, after a slow and tedious march of five weeks, had reached the mountains of Snowdun, he found to his mortification that the loss of the conquerors exceeded that of the vanquished. The next year the lords of the marches prosecuted the war by ravaging the lands in the neighbourhood: and the following summer the king resumed his operations, but with similar results. The loss of men, of horses, and of baggage, convinced him of the inutility of the enterprise. He retired out of Wales in despair, adopted the policy of his father, and by drawing a chain of castles round the country, endeavoured to put a stop to the incursions of these restless and inaccessible enemies.[27]

Rebellion of Robert Mowbray. 1095.

IV. The most powerful of the Anglo-Norman barons was Robert Mowbray, earl of Northumberland. He had inherited from his uncle the bishop of Coutances no fewer than two hundred and eighty manors: the first families in the nation were allied to him by blood or affinity:

[27] Chron. Sax, 203, 4, 5. Sim. 219. Malm. 68.

and his command in the north had placed at his disposal the services of a numerous and warlike population. By his orders four Norwegian merchantmen of considerable value had been detained and plundered; and when the king, at the petition of the owners, summoned him to answer for the offence, the royal mandate was repeatedly slighted and disobeyed. William resolved to chastise the insolence of his vassal: his rapidity disconcerted the friends of the earl: the principal of the Northumbrian chieftains were surprised and made prisoners; and the strong castle of Tinmouth after a siege of two months was compelled to surrender. Still from the walls of Bamborough Mowbray continued to defy the arms of his sovereign: nor did William undertake the hopeless task of reducing that impregnable fortress; but, in the vicinity erected another castle, which he appropriately denominated Malvoisin, or the bad neighbour. At length the earl was decoyed from his asylum. An insidious offer to betray into his hands the town of Newcastle, induced him to quit Bamborough in the dead of the night with no more than thirty horsemen. The garrison of Malvoisin immediately followed: the gates of Newcastle were shut: and the earl fled from his pursuers to the monastery of St. Oswin. During five days he valiantly defended himself against the repeated assaults of a superior enemy: on the sixth he was wounded in the leg, and

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made prisoner. The captive by the royal order was conducted to Bamborough, and his countess Matilda was invited to a parley. From the walls she beheld her lord in bonds with the executioner by his side, prepared to put out his eyes, if she refused to surrender the fortress. Her affection (they had been married only three months) subdued her repugnance: the gates were thrown open: and Morell, the governor, to ingratiate himself with the conqueror, revealed the particulars of an extensive and dangerous conspiracy to place on the throne Stephen of Albemarle, brother to Judith of infamous memory. Hugh, earl of Shrewsbury, purchased his pardon for three thousand pounds: Walter de Lacy escaped to the continent: Odo, earl of Holderness, forfeited his estates and was imprisoned: Mowbray himself was condemned to perpetual confinement, and lived near thirty years in the castle of Windsor. William, count of Eu, a near relation of the king, fought his accuser, was vanquished, and lost his eyes. The fate of William of Alderic, the king's godfather, excited more commiseration. He was sentenced to be hanged: but the integrity of his life, and his asseverations at the gallows, convinced the public that he was innocent.[28]

V. At the death of the conqueror the royal

[28] Chron. Sax. 202—204. Sim. 221. Orderic, 703, 704. Alur. Bev. 141, 142. Bromp. 992. The count D'Eu cœcatus et extesticulatus est. Malm. 70.

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The king's rapacity.

treasury at Winchester contained sixty thousand pounds of silver, besides gold, and precious stones:[29] and if to this sum we add the annual revenue of the crown, we may safely pronounce William to have been at his accession a most opulent monarch. But no accumulation of wealth however large, no supply however abundant, could equal the waste of his prodigality. He spurned at restraint: and in his dress and table, in his pleasures and presents, left far behind him the most extravagant of his contemporaries.[30] Immense sums were lavished in purchasing or rewarding the services of foreigners, who, whatever might be their country or their character, were assured of receiving a gracious welcome from the king of England.[31] When his resources began to fail, the deficiency was supplied by extortion: nor was there any expedient, however base or unjust, which he hesitated, for a moment, to adopt if it served to replenish his coffers. The authority which archbishop Lanfranc derived from his age and station, contributed to check for a few years the royal extravagance; but the death of that prelate in 1089 removed every restraint; and, in the place

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[29] Ingulf, 106. [30] Malm. 69. He tells us that the king refused a pair of hose because they had cost only three shillings; and put on a worse pair, when his chamberlain assured him that they had cost a mark. Ibid.

[31] He was, according to Suger, mirabilis militum mercator et solidator. Vit. Lud. Grossi, 283.

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Character of Ralf Flambard.

of an importunate monitor, the king substituted a rapacious and remorseless minister. Ralf (afterwards surnamed the Flambard, or devouring torch) was a Norman clergyman of obscure birth, of ready wit, dissolute morals, and insatiable ambition. He had followed the court of the conqueror, and first attracted notice in the capacity of a public informer. From the service of Maurice, bishop of London, he passed to that of William: and the king soon discovered his merit, and gradually raised him to the highest situation in the kingdom, by appointing him to the offices of royal chaplain, treasurer, and justiciary. The minister was sensible that to retain the favour, it was necessary to flatter the vices, of his master: and his ingenuity was successfully employed in devising new methods of raising money. The liberty of hunting was circumscribed by additional penalties: to multiply fines new offences were created: capital punishments were commuted for pecuniary mulcts: and another survey of the kingdom was ordered, to raise the land tax of those estates which had been under-rated in the record of Domesday. By these arts Flambard earned the eulogium, which was pronounced on him by the king, that he was the only man, who to please a master, was willing to brave the vengeance of the rest of mankind.[32]

[32] Malm. 69. 158. Orderic, 678. 786.

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If, however, he eluded that vengeance, his preservation was owing more to fortunate contingencies than to the protection of William. One day, as he was walking by the side of the Thames, Gerold, a mariner who had formerly been in his service, but now pretended to be a messenger from the bishop of London, requested him to step into a boat, and visit that prelate, whom he represented as lying at the point of death in a villa on the opposite bank. Unsuspicious of danger Flambard complied: but when the boat had conveyed him a little way down the river, he was forcibly put on board a ship, and carried out to sea. Fortunately a storm arose: the men, who had engaged to murder him, quarrelled; Gerold was induced by promises and entreaties to put him on shore; and on the third day, to the terror and amazement of his enemies, he appeared in his usual place at court. As a compensation he obtained the bishopric of Durham: but the king was not in the habit of conferring benefits without a return; and the favourite, to prove his gratitude, made him a present of one thousand pounds.[33]

Conspiracy against him.

In the payment of this sum Flambard had been caught in his own toils: though, if any man could expect gratuitous promotion under a prince like William, it was one, who to his other claims of remuneration added the merit

The king keeps the bishopries vacant.

[33] Ang. Sac. i. 706. Knyghton, 2369. Simeon, 224.

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of having discovered a new and productive source of revenue in the custody and sale of the vacant abbeys and bishoprics. Before the conquest, on the demise of an abbot or prelate, the care of the temporalties devolved on the diocesan, or the archbishop: under the conqueror it was intrusted to a clergyman who was appointed by the king, and compelled to render an exact account of his administration to the next incumbent.[34] Flambard pronounced both these customs an infringement of the rights of the crown. He contended that the prelacies were fiefs held of the king, the revenues of which, on the death of the actual tenant, ought to revert to the sovereign, till he, of his special grace, bestowed them on a new abbot or bishop. Acting on these principles he took every vacant prelacy under his own care. Inferior officers were appointed to administer the temporalties for the benefit of the crown: by these the lands and profits were farmed out to speculators by public auction: and the existing tenant, sensible that he might at any moment be ejected at the suit of a higher bidder, lost no time in converting his bargain into a source of the greatest possible advantage. The reader may easily conceive the extortions and dilapidations, which were the invariable consequences of so iniquitous a system. The monks and the

[34] Orderic, 516. 679. Pet. Bles. contin. 111. Alur. Bev. 143.

clergy belonging to the church were often compelled to seek a precarious subsistence from the charity of strangers; and the *men* of the prelate, those who held their lands of the church, were generally reduced to the lowest degree of penury. Nor did the mischief end here. Wealth so easily acquired, was not easily surrendered: William kept the vacant bishoprics and abbeys for several years in his own possession: and, if he consented at last to name a successor, it was previously understood that the new prelate should pay a sum into the exchequer, proportionate to the value of the benefice.[35]

Names Anselm to Canterbury. 1093.

During Lent, in the fourth year after the demise of Lanfranc, the king was taken dangerously ill: and he, who in health had set at defiance the laws of God and man, began to tremble at the probable approach of death. The celebrated Anselm, a native of Aoust in Piedmont, and abbot of Bec in Normandy, had at this period accidentally arrived in England, where he had been invited by Hugh, earl of Chester. His reputation induced William to send for him to Glocester: and by his advice the sick monarch engaged to amend his conduct, restored to different churches the estates of which he had unjustly deprived them, forgave by proclamation all offences committed against

[35] Orderic, 763. 774. The king at his death had in his hands one archbishopric, four bishoprics, and eleven abbeys, all of which had been let out to farm. Bles. 111.

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the crown, and promised to his people, in the event of his recovery, an upright administration of justice. During his health he had frequently been solicited to nominate a successor to Lanfranc; and had as frequently replied that he would never part with the temporalties of Canterbury till his death. The bishops seized the present moment to renew their importunities: and William, in the fervour of his repentance, exclaimed that he gave that office to Anselm. The pious monk at this unexpected declaration was filled with alarm and sadness: the vexations and inquietudes to which he was likely to be exposed, rushed on his mind; and he felt himself unequal to a perpetual contest with a prince of insatiable avarice, impetuous passions, and without any principles of morality, or any respect for religion. But it was in vain, that he repeatedly refused to acquiesce in the royal choice. He was dragged to the bed of the king: a crosier was brought into the room: this emblem of the archiepiscopal dignity was forced into his hand; and the Te-deum was sung in thanksgiving for the event. Anselm still protested against the violence of his election, and declared that it was of no avail, since he was the subject not of the king of England, but of the duke of Normandy. But the consent of Robert was easily obtained: the archbishop of Rouen ordered him to obey; and the reluctant abbot, after a long and violent struggle,

submitted to the advice of his friends, and the commands of his superiors.[36]

What Anselm had foretold was soon realized. William recovered, became ashamed of his weakness, revoked the pardons which he had granted, and relapsed into his usual rapacity and despotism. Nor were his morals less reprehensible than his system of government. His court had become a constant scene of debauchery. In order that he might indulge his passions with less restraint, he refused to marry: the young nobility courted the favour of their sovereign by imitating his example: and in the society of flatterers and prostitutes the decencies of life and the prohibitions of religion were equally exposed to outrage and derision.[37] Such conduct added force to the objections of Anselm, who, though he was already invested with the temporalties of the archbishopric, allowed seven months to elapse before he could be induced to do homage to the king, and receive the archiepiscopal consecration. He had previously required that all the lands of his see should be restored, and that William should follow his advice in matters regarding the welfare of his

[36] Eadmer, 15—19. [37] Malm. 69. Orderic, 682. 763. Luxuriæ scelus tacendum exercebat, non occulte, sed ex impudentia coram sole. Hunt. 216. Paris, 46. Anselm adds: nefandissimum Sodomæ scelus *noviter* in hac terra divulgatum, jam plurimum pullulavit, multosque sua immanitate fœdavit. Ead. 24. From his passage I should infer that it was introduced by the Normans.

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soul. To these requests an evasive answer was returned: "That the just expectations of the archbishop should not be disappointed."[38]

Persecutes Anselm.

From the subsequent treatment of Anselm a plan appears to have been already arranged for subduing the independent spirit of the new archbishop, and for rendering him the obsequious slave of the king. On the very day in which he entered Canterbury, and as he was going in procession to his cathedral, Flambard arrested him in the street, and summoned him to answer in the king's court for some imputed breach of the royal prerogative.[39] His tenants, during several months, were compelled to pay their rents into the exchequer: and those to whom William had alienated the archiepiscopal manors, were encouraged to retain them under the authority of the crown.[40] Though Anselm found himself reduced to such poverty, that the expenses of his household were defrayed by the abbot of St. Alban's,[41] he was given to understand that the king expected a present in return for his promotion. With great difficulty he raised the sum of five hundred pounds: but it was scornfully refused as unworthy the royal acceptance. "Do not, my lord," said the primate, "spurn my offer. Though the first, it

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[38] Ead. 19, 20. 23. [39] Ead. 20. By similar threats and prosecutions he extorted from Bloet, bishop of Lincoln, no less than 5000 pounds of silver. Bromp. 988. [40] Bromp. ibid. Ead. 20. Ep. Ansel. iii. 24. [41] Paris, Vit. Abbat. 1004.

"will not be the last, present of your arch-
"bishop. Use me like a freeman, and I devote
"myself, with all that I have, to your service:
"but if you treat me as a slave, you will have
"neither me nor mine."—"Go," replied the king in a rage, "I want neither thee nor thine." Anselm departed; and, to prove that he was not actuated by a spirit of parsimony, distributed the whole sum to the poor.[42]

He was now, in the phraseology of the court, out of the king's favour: but it was privately intimated to him, that on the offer of one thousand pounds all former causes of offence would be forgotten. The mind of Anselm, superior to the temptations of hope and fear, neglected the suggestion. The bishops had assembled at Hastings, to take their leave of the king previously to his departure for Normandy: and the primate earnestly requested them to reconcile him with his sovereign. William dictated the terms: that he should pay five hundred pounds immediately, and engage to pay five hundred more within a certain term. Anselm replied that he was without money himself, and that his vassals, impoverished by the royal exactions, were unable to supply him with the sum re-

[42] Ead. 21, 22. It was, according to Anselm himself in his letter to the archbishop of Lyons, pecunia non parva. He probably borrowed it: for the lands of his church were in such a state that it was three years before he was able to maintain the usual archiepiscopal establishment. Ead. 108.

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quired. "Then," exclaimed the king, "as I "hated him yesterday, so I hate him more "to-day, and will hate him still more bitterly "the longer I live. He shall never be acknow- "ledged by me for archbishop. Let him go. "He need not wait here to give me his blessing "when I sail. I will not receive it."[43]

Dispute about the succession to the papacy. 1091.

There were at the time two competitors for the papacy, the antipope Clement, and Urban II. the legitimate successor of Gregory. This was a favourable opportunity for William, who, affecting to hesitate between the two, refused to acknowledge either, that he might enjoy with less restraint the revenues of the vacant prelacies.[44] But Anselm, in common with the Norman clergy, had admitted the authority of Urban: before he consented to his election, he notified the circumstance to the king: and he now solicited permission to receive from the pontiff the pallium, the distinguishing badge of the archiepiscopal dignity. At the very mention of Urban, William burst into a paroxysm of rage. "Could he be ignorant that to acknow- "ledge any prelate for pope, before he had been

[43] Ead. 23—25.

[44] It was not that the English church rejected the papal supremacy, but that the bishops had not been permitted to inquire into the claims of the competitors, and therefore suspended their obedience. Quis eorum, canonice, quis secus fuerit institutus, ab Anglis usque id temporis ignorabatur. Ead. 32. Dubitabant propter illam quæ nata est dissensionem, et propter dubitationem illum suscipere quasi certum differebant. Epis. Ansel. iii. 36.

"acknowledged by the sovereign, was a breach "of allegiance? This was the peculiar prerogative of the kings of England: it distinguished "them from other monarchs, none of whom "possessed it. To dispute this right was to tear "the crown from his head. Anselm should "answer for his presumption before his peers."[45] The enemies of the archbishop now predicted that he would either be compelled to resign the mitre, or to disgrace himself by abjuring the authority of the pontiff. The court was held at Rockingham. Every artifice was employed to shake his resolution: he was assailed with threats and promises: he was accused of ingratitude: he was reviled with the appellation of traitor. The last charge called him from his seat. "If "any man," he exclaimed, "pretend that I "violate the faith which I have sworn to the "king, because I will not reject the authority "of the bishop of Rome, let him come forward, "and he will find me prepared in the name of "God to answer him as I ought."[46] The chal-

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[45] Ead. 25, 26. Of this prerogative, though it had sprung up under his father, Flambard said, that it was præcipuum in omni dominatione sua, et quo eum *cunctis regibus* præstare certum erat. Id. 29.

[46] Id. 28, 29. Anselm has been blamed for having given to the pope, during the debate, the titles of bishop of bishops, prince of all men, and angel of the great council. Whoever will peruse the original, will be convinced that the charge has been made by mistake. It is to Christ, not to the pope, that the archbishop applied these expressions. See Eadmer, p. 27.

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lenge was not accepted: but the king, turning to the bishops, ordered them to depose him. They answered that it was not in their power. He commanded them to abjure his authority, and they complied. He then called on the lay barons to imitate the example of the prelates, but they, to his utter discomfiture, refused. Disconcerted and enraged, he put off the decision of the question for two months; and calling the bishops around him, successively interrogated each in what sense he had abjured the authority of Anselm? Some replied unconditionally; and these he called his friends, and ordered to sit down. Others said that they had abjured it only inasmuch as the primate acknowledged a pope, who had not yet been acknowledged by the English church. These were commanded to quit the hall, with the assurance that they had forfeited the royal favour. To repurchase it, each was compelled to make the king a valuable present.[47]

The king is reconciled with Anselm. 1095.

If I have entered into these details, it was that the reader might the more easily appreciate the character of William, and notice the proceedings in these arbitrary courts of justice. There was something ludicrous in the result of the contest. The king sent clandestinely a messenger to Rome, acknowledged without solicitation the authority of Urban, privately procured from him the pallium, and after several fruitless at-

[47] Ead. 30, 31.

tempts to sell it, at last allowed it to be given to the archbishop. But, though Anselm was in this instance successful, he had still reason to regret the tranquillity of his cell. The hatred which rankled in the breast of the king, was often visible in his conduct: and he suffered no opportunity to escape of thwarting the endeavours, and wounding the feelings, of the primate. In defiance of his remonstrances William retained possession of the vacant benefices; prevented the convocation of synods; refused to restore the manors belonging to the see of Canterbury; and after an expedition into Wales, cited the archbishop before him, for having sent his retainers without a competent supply of arms and provisions. The charge is said to have been false.[48] But Anselm, exhausted by groundless provocations, instead of pleading his cause, solicited permission to retire to Rome.[49] An answer was returned that he might use his own discretion: but that if he left the realm, the king would immediately take possession of his revenues. The primate entering the chamber, said: "Sir, I am going: but as this is probably "the last time that we shall meet, I come as "your father and archbishop, to offer you my

Archbishop goes to Rome. 1097. Oct. 15.

[48] Falso a malignis dicebatur. Eadmer in vit. Ansel. 883.

[49] The conqueror had required that no bishop should visit Rome without his permission: a regulation which excited the loud complaint of Gregory VII. Nemo omnium regum etiam paganorum contra sedem apostolicam hoc præsumpsit attentare. Epis. Greg. VII. 1.

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"blessing." The king bowed his head: Anselm made over him the sign of the cross, and instantly retired. At Dover the royal officers treated him with studied indignity: in France and Italy he was received with every demonstration of respect.[50]

The king's death in the New Forest. 1100.

After the departure of Anselm, William persevered in the same rapacious and voluptuous career, till he was suddenly arrested by death in the New Forest, where his brother Richard had formerly perished. For some time predictions of his approaching fate had been circulated among the people, and were readily believed by those, whose piety he had shocked by his debaucheries, or whose hatred he had provoked by his rapacity.[51] Nor was he without apprehension himself. On the first of August he

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[50] Ead. 32—34. 36—41. The archbishop in his letter to the pope thus sums up his reasons for leaving the kingdom. "The "king would not restore to my church those lands belonging to it, "which he had given away after the death of Lanfranc: he even "continued to give more away notwithstanding my opposition: he "required of me grievous services, which had never been required "of my predecessors: he annulled the law of God, and the cano- "nical and apostolical decisions by customs of his own creation. "In such conduct I could not acquiesce without the loss of my "own soul: to plead against him in his own court was in vain: "for no one dared to assist or advise me. This then is my object "in coming to you: to beg that you would free me from the "bondage of the episcopal dignity, and allow me to serve God again "in the tranquillity of my cell: and that in the next place you "would provide for the churches of the English according to your "wisdom and the authority of your station." Eadm. 43.

[51] Orderic, 781.

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passed a restless night: and his imagination was so disturbed by dreams, that he sent for his servants to watch near his bed. Before sunrise Fitz-Hamen entered the chamber, and related to him the vision of a foreign monk, which was interpreted to presage some calamity to the king. "The man," he exclaimed with a forced smile, "dreams like a monk. Give him a hun-" dred shillings." He was, however, unable to conceal the impression which these portents had made on his mind: and, at the request of his friends, abandoned his design of hunting, and devoted the morning to business. At dinner he Aug. 2. ate and drank more copiously than usual: his spirits revived: and shortly afterwards he rode out into the forest. There most of his attendants successively left him, separating in pursuit of game: and about sunset he was discovered by some countrymen, lying on the ground, and weltering in blood. An arrow, the shaft of which was broken, had entered his breast. The body was conveyed in a cart to Winchester, where it was hastily buried the next morning.[52] Out of respect to his rank a grave was allotted him in the cathedral: but it was deemed indecent to honour with religious rites the obsequies of a prince, whose life had been so impious, and whose death was too sudden to encourage a hope that he had found time to repent.[53]

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[52] Malm. 71.

[53] Orderic, 782

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By whose hand the king fell, and whether the arrow was directed against him by accident or design, are questions which cannot be satisfactorily answered. The report, which obtained credit at the time, was, that William, following a wounded deer with his eyes, held his hand near his face to intercept the rays of the sun, and that at the same moment an arrow from the bow of Walter Tyrrel, a French knight, glancing from a tree, struck him in the breast. It was added, that the unintentional homicide, spurring his horse to the shore, immediately crossed to the continent: and a pilgrimage which he afterwards made to the holy land, was attributed to remorse, and construed into a proof of his guilt. But Tyrrel always denied the charge: and after his return, when he had nothing to hope or fear, deposed upon oath in the presence of Suger, abbot of St. Denis, that he never saw the king on the day of his death, nor entered that part of the forest in which he fell.[54] If William perished by treason (a supposition not very improbable) it was politic in the assassin to fix the guilt on one, who was no longer in the kingdom. This at least is certain, that no inquiry was made into the cause or the manner of his death:

[54] Quem cum nec timeret nec speraret, jurejurando sæpius audivimus quasi sacrosanctum asserere, quod ea die nec in eam partem sylvæ, in qua rex venebatur, venerit, nec eum in sylva omnino viderit. Suger, vit. Lud. Gros. p. 283. Tyrrel was an inhabitant of Pontoise. Ord. 73.

whence we may infer that his successor, if he were not convinced that it would not bear investigation, was too well pleased with an event which raised him to the throne, to trouble himself about the means by which it was effected.

His character.

Of the violent character of William, his rapacity, despotism, and voluptuousness, the reader will have formed a sufficient notion from the preceding pages.[55] In person he was short and corpulent, with flaxen hair, and a ruddy complexion: from which last circumstance he derived the name of Rufus, or the red. In ordinary conversation his utterance was slow and embarrassed: in the hurry of passion precipitate and unintelligible. He assumed in public a haughty port, rolling his eyes with fierceness on the spectators, and endeavouring by the tone of his voice and the tenor of his answers to intimidate those who addressed him. But in private he descended to an equality with his companions, amusing them with his wit, which was chiefly pointed against himself, and seeking to lessen the odium of his excesses, by making them the subjects of laughter.

His buildings.

He built at the expense of the neighbouring counties a wall round the Tower, a bridge over the Thames, and the great hall at Westminster.

[55] I will only add the character given of him by a celebrated foreign, but contemporary, writer. Lasciviæ et animi desideriis deditus, pauperum intolerabilis oppressor, ecclesiarum crudelis exactor, et irreverentissimus retentor et dissipator. Suger, ibid.

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The latter was finished the year before his death: and when he first visited it after his return from Normandy, he replied to his flatterers, that there was nothing in its dimensions to excite their wonder: it was only the vestibule to the palace which he intended to raise. But in this respect he seems to have followed, not to have created, the taste of the age. During his reign structures of unusual magnificence arose in every part of the kingdom: and the most opulent proprietors sought to distinguish themselves by the castles which they built, and the monasteries which they founded.

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HENRY I.

SURNAMED BEAUCLERK, OR THE SCHOLAR.

CONTEMPORARY PRINCES.

Emp. of Ger.	*K. of Scotland.*	*K. of France.*	*K. of Spain.*	*Popes.*	
Henry IV.	1106	Edgar	1106	Philip I.	1108	Alphonso VI.	1109	Paschal II.	1118
Henry V.	1125	Alexander I.	1124	Louis VI.		Alphonso VII.	1133	Gelasius II.	1119
Lothaire II.		David I.				Alphonso VIII.		Calixtus II.	1124
								Honorius II	1130
								Innocent II.	

ACCESSION OF HENRY—INVASION BY DUKE ROBERT—HENRY IN NORMANDY—MAKES ROBERT PRISONER—DISPUTE CONCERNING INVESTITURES—WAR IN NORMANDY—STORY OF JULIANA, THE KING'S DAUGHTER—SHIPWRECK OF HIS SON WILLIAM—SETTLEMENT OF THE CROWN ON MATILDA—HIS ADMINISTRATION OF JUSTICE—RELIEF TO THE TENANTS OF THE CROWN LANDS—EXTORTION OF MONEY—DISPUTE RESPECTING LEGATES—DEATH AND CHARACTER OF HENRY—HIS MINISTERS—STATE OF LEARNING.

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Robert in Palestine.

FOUR years were now elapsed, since Robert of Normandy had abandoned his dominions to earn a barren wreath of glory in the fields of Palestine. Accompanied by Hugh of Vermandois, and Robert of Flanders, he had passed the Alps,

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received the benediction of the pontiff at Lucca, and joined the crusaders under the walls of Constantinople. At the siege of Nice he held an important command: in the battle of Dorylæum his exhortations and example sustained the fainting courage of the christians: at the reduction of Antioch the praise of superior prowess was shared between him and Godfrey of Bouillon:[1] and if, during a reverse of fortune, he slunk with several others from the pressure of famine and the prospect of slavery, this temporary stain was effaced by his return, his exploits in the field, and his services in the assault of Jerusalem. The crown of that city was given to Godfrey, the most worthy of the confederate chieftains: but if we may believe the English historians, it had been previously offered to Robert, who, with more wisdom than he usually displayed, preferred his European dominions to the precarious possession of a throne surrounded by hostile and infidel nations.[2]

Coronation of Henry.

By priority of birth, and the stipulation of treaties, the crown of England belonged to Robert. He had already arrived in Italy on his way home: but, ignorant of the prize that was

1100. at stake, he loitered in Apulia to woo Sibylla, the

[1] It was believed that Godfrey with a stroke of his sword had divided the body of a Turk from the shoulder to the opposite haunch; and that Robert by the descent of his falchion had cloven the head and armour of his adversary from the crown to the breast.

[2] Gerv. Tilb. apud Bouquet, XIV. 13.

fair sister of William of Conversana.[3] Henry, the younger brother, was on the spot: he had followed Rufus into the forest: and the moment that he heard the king was fallen, spurring his horse, he rode to Winchester, to secure the royal treasures. William de Breteuil, to whose custody they had been intrusted, arrived at the same time, and avowed his determination to preserve them for Robert, the rightful heir. The prince immediately drew his sword; and blood would have been shed, had not their common friends interposed, and prevailed on Breteuil to withdraw his opposition. As soon as Henry had obtained possession of the treasures and castle, he was proclaimed king: and riding to Westminster was crowned on the Sunday, Aug. 5. the third day after the death of his brother. The ceremonial was the same as had been observed in the coronation of the Anglo-Saxon kings, and was performed by Maurice, bishop of London, in the absence of Anselm and the vacancy of the archiepiscopal see of York.[4]

His charter.

On the same day care was taken to inform the nation of the benefits which it would derive from the accession of the new monarch. To strengthen the weakness of his claim by connecting it with the interests of the people, he published a charter of liberties, copies of which were sent

[3] Her father Geoffry was the nephew of Robert the Guiscard. Orderic, 780.

[4] Orderic, 782. Malm. 88, Chron. Sax. 208.

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to the several counties, and deposited in the principal monasteries. In this instrument, 1⁰ he restored to the church its ancient immunities, and promised neither to sell the vacant benefices, nor to let them out to farm, nor to retain them in his own possession for the benefit of his exchequer, nor to raise tallages on their tenants. 2⁰ He granted to all his barons and immediate vassals (and required that they should make the same concession to *their* tenants) that they might dispose by will of their personal property: that they might give their daughters and female relatives in marriage without fee or impediment, provided the intended husband were not his enemy: that for breaches of the peace and other delinquencies they should not be placed at the king's mercy, as in the days of his father and brother, but should be condemned in the sums assigned by the Anglo-Saxon laws: that their heirs should pay the customary reliefs for the livery of their lands, and not the arbitrary compensations which had been exacted by his two predecessors: that heiresses should not be compelled by the king to marry without the consent of the barons: that widows should retain their dowers, and not be given in marriage against their will: and that the wardship of minors should, together with the custody of their lands, be committed to their mothers, or nearest relations. 3⁰ To the nation at large he promised to put in force the laws of Edward the confessor,

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as they had been amended and published by his father: to levy no moneyage which had not been paid in the Saxon times: and to punish with severity the coiners and venders of light monies. He exempted from the Dane-gelt the demesne lands of all his military tenants, forgave all fines due to the exchequer, and the pecuniary mulcts for "murder" committed before his coronation; and ordered, under the heaviest penalties, reparation to be made for all injustices committed in consequence of the death of his brother. Such are the provisions of this celebrated charter: which is the more deserving of the reader's notice, because, as it professes to abolish the illegal customs introduced after the conquest, it shews the nature of the grievances which the nation had suffered under the two Williams. Henry, however, retained both the royal forests and the forest laws: but as a kind of apology he declared, that in this reservation he was guided by the advice, and had obtained the consent, of his barons. He added at the same time a very beneficial charter in favour of the citizens of London.[5]

[5] Leg. Sax. 233. Ric. Hagul. 310, 311. Henry's charter is a very important document, as it professes to restore the law to the same state in which it had been settled by William the conqueror. Lagam regis Edvardi vobis reddo cum emendationibus quibus eam pater meus emendavit consilio baronum suorum. Leg. 234. Hence we may infer that at that period the crown derived no emolument from the custody of the vacant benefices: that it opposed no impediment to the marriages of the female relations of its tenants:

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His reformation,

Hitherto the moral conduct of Henry had been as questionable as that of his late brother: policy now taught him to assume the zeal and severity of a reformer. He dismissed his mistresses; drove from his court the men, who had scandalized the public by their effeminacy and debaucheries;[6] and sent to hasten the return of

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that the great council of tenants decided on the marriages of heiresses: that widows were allowed to marry according to their own choice: that the custody of the heir and his lands was given to the mother and his near relations: that the amount of relief was fixed by law, and that there were estates, called rectæ hæreditates, which paid no relief at all: that the disposition of personal property by will was valid without the consent of the sovereign: that the personalty of intestates was divided by the nearest relatives: and that amerciaments, by which the personal estate of the delinquent was placed at the mercy of the king, were unknown. All the contrary practices had grown up during the last years of the conqueror, and the reign of Rufus, particularly under the administration of Flambard. To the charter is added a law treatise in 94 chapters, drawn up by an unknown writer, evidently with the intention of instructing the judges in the law, as it stood in the time of Edward the confessor, and as it was amended by William the conqueror, and had now been restored by Henry. Leg. Sax. 236—283. It is hardly necessary to add, that when the king found himself firmly seated on the throne, he renewed all the grievances which he had previously abolished.

[6] Effœminatos curia propellans, lucernarum usum noctibus in curia restituit, qui fuerat tempore fratris intermissus. Malm. 88. Why lights had been prohibited in the palace of William, or were now restored by Henry, I am unable to explain. But the effœminati are so frequently mentioned by our ancient writers, that they demand some notice. They were the fashionable young men of the time, and received that appellation from their manner of dressing, which approached to that of women. They wore tunics with deep sleeves, and mantles with long trains. The peaks of their shoes (pigaciæ) were stuffed with tow, of enormous length, and

archbishop Anselm with expressions of the highest regard and veneration for his character. At the solicitation of the prelates he consented to marry: and the object of his choice was Matilda or Maud, the daughter of Malcolm, king of Scots, by Margaret, the sister of Edgar the etheling: a princess whose descent from the Anglo-Saxon monarchs was expected to add stability to his throne, and to secure the succession to his posterity. An objection was, however, made to their union, which nearly defeated his hopes. The princess in her childhood had been intrusted to the care of her aunt Christina, abbess of Wilton, who, to preserve the chastity of her niece from the brutality of the Norman soldiers, had compelled her to wear the veil, and to frequent the society of the nuns. Hence it was contended that according to the ecclesiastical canons she was no longer at liberty to marry: but in a synod of the prelates the ob-

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and marriage.

twisted to imitate the horn of a ram or the coils of a serpent: an improvement lately introduced by Fulk, earl of Anjou, to conceal the deformity of his feet. Their hair was divided in front, and combed on the shoulders, whence it fell in ringlets down the back, and was often lengthened most preposterously by the addition of false curls. This mode of dressing was opposed by the more rigid among the clergy, particularly the manner of wearing the hair, which was said to have been prohibited by St. Paul: "if a man "nourish his hair, it is a shame to him." 1 Cor. xi. 14. But after a long struggle fashion triumphed over both the clergy and the apostle. See Malmsbury (88. 99), Eadmer (23. 106), and Orderic (682). The latter adds, that they were addicted to the most abominable vices: sodomiticis spurcitiis fœdi catamitæ. Ibid.

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jection was over-ruled in conformity with a former decision of archbishop Lanfranc on a similar occasion. The marriage was celebrated, and the queen crowned with the usual solemnity by Anselm, who had now returned to England, and resumed the administration of his diocese.[7]

Nov. 11.

Confinement and escape of Flambard. 1101.

To satisfy the clamour of the people, Henry had committed to the Tower Flambard, bishop of Durham, the obnoxious minister of the late king. The prelate lived sumptuously in his confinement on the allowance which he received from the exchequer, and the presents which were sent him by his friends: and by his wit, cheerfulness, and generosity, won the good will, while he lulled the vigilance, of his keepers. In the beginning of February he received a rope concealed in the bottom of a pitcher of wine. The knights, who guarded him, were as usual invited to dine: they drank copiously till it was late in the evening:

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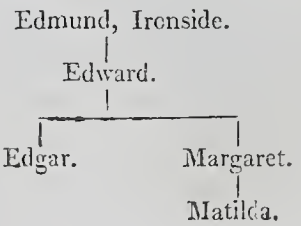
[7] Eadmer, 56—58. Allured Bev. 144. From the proceedings in the council held on this occasion it appears, that at the time of the conquest there was no security for females, unless they took refuge in a convent. Suo pudori metuentes monasteria virginum petivere, acceptoque velo sese inter ipsas a tanta infamia protexere. Ead. ibid. Matilda traced her descent from the Anglo-Saxon kings in this manner:



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and soon after they had lain down to rest, Flambard, with the aid of his rope, descended from the window, was conducted by his friends to the sea shore, and thence escaped into Normandy.[8] In Normandy he found duke Robert, who had married Sibylla, and returned to his dutchy within a month after the death of his brother. By his former subjects he had been received with welcome: but his claim to the English crown, though he meant to enforce it, was postponed to a subsequent period. Pleasure, not power, was his present object: he wished to exhibit to his Normans the fair prize which he had brought from Apulia: and her fortune, a very considerable sum, was consumed in feastings and pageantry.[9] But the arrival and suggestions of Flambard awakened his ambition, and turned his thoughts from pleasure to war. His vassals professed their eagerness to fight under a prince, who had gained laurels in the holy war: tenders of assistance were received from England: and a powerful force of men at arms, archers, and footmen, was ordered to assemble in the neighbourhood of Tresport. On the English barons, who had engaged to espouse his cause, Robert de Belesme,

Robert claims the crown.

[8] Orderic, 786.

[9] Malms. 86. Sibylla died in 1102 of poison administered, it was believed, by Agnes, dowager countess of Buckingham, who, as she possessed the affections, was also ambitious to share the honours, of the duke. Orderic, 810. Malmsbury's account is different.

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William de Warenne, Ivo de Grentesmenil, and Walter Giffard, he bestowed some of the strongest fortressess in Normandy. His object was to secure their co-operation: but he had reason to regret a measure, which weakened his power, and ultimately caused his ruin.[10]

Henry's preparations.

Henry beheld with disquietude the preparations of his brother: but trembled still more at the well known disaffection of his barons. By Robert de Meulant, the most trusty and favoured of his ministers, he was advised to make every sacrifice for the preservation of his crown; to promise whatever should be asked; to divide among the suspected the choicest of the royal demesnes; and to wait till the hour of danger was past, when he might resume these concessions, and punish the perfidy of the men, who had presumed to sell to their sovereign those services which they already owed him by their oaths. At Whitsuntide Henry held his court: every petition was granted: the charter was renewed: and in the hands of Anselm, as the representative of the nation, the king swore faithfully to fulfil all his engagements. His army was collected at Pevensey on the coast of Sussex: Robert, conducted by the mariners, whom Flambard had debauched from their allegiance, reached the harbour of Portsmouth. To secure the city of Winchester became to each

[13] Orderic, 787.

prince an object of the first importance. If Robert were nearer, he was delayed by the debarkation of his troops, and Henry overtook him on his march. By the neighbourhood of the two armies the spirit of revolt was again awakened among the Anglo-Norman barons: but the natives remained faithful to Henry, and Anselm devoted himself to his interests. He harangued the troops on the duty of allegiance, recalled from the camp of Robert some of the deserters, confirmed the wavering loyalty of others, and threatened the invaders with the sentence of excommunication. After several fruitless and irritating messages, Henry demanded a conference with his brother. The two princes met in a vacant space between the armies, conversed for a few minutes, and embraced as friends. The terms of reconciliation were immediately adjusted. Robert renounced all claim to the crown of England, and obtained in return a yearly pension of three thousand marks, the cession of all the castles which Henry possessed in Normandy, with the exception of Damfront, and the revocation of the judgment of forfeiture, which William had pronounced against his adherents. It was moreover stipulated, that both princes should unite to punish their respective enemies, and that if either died without legitimate issue, the survivor should be his heir. Twelve barons on each

Pacification.

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side swore to enforce the observance of these articles.[11]

Henry punishes his enemies. 1102.

It was not, however, in the disposition of Henry to forget or forgive. Prevented by the treaty from chastising the public disaffection of his Anglo-Norman barons, he sought pretexts of revenge in their private conduct. Spies were appointed to watch them on their demesnes, and in their intercourse with their vassals: charges of real or pretended transgressions were repeatedly brought before the king's court; and each obnoxious nobleman in his turn was, justly or unjustly, pronounced a criminal and an outlaw. Of the great families, the descendants of the warriors who had fought with the conqueror, the most powerful successively disappeared: and in opposition to the others, Henry's jealousy selected from the needy followers of the court, men, whom he enriched with the spoils of the proscribed, and raised to an equality with the proudest of their rivals. To these he looked as to the strongest bulwarks of his throne: for since they owed their fortunes to his bounty, their own interest, if not their gratitude, would bind them firmly to his support.[12]

Revolt of Robert de Belesme.

Among the outlaws were Robert Malet, Ivo de Grentesmenil,[13] Warenne, earl of Surrey,

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[11] Eadmer, 58. Orderic, 788. Chron. Sax. 209, 210.

[12] Orderic, 804, 805.

[13] Ivo was accused of having made war on his neighbours, quod in illa regione crimen est inusitatum, nec sine gravi ultione fit ex-

William, earl of Morton and Cornwall, and Robert de Belesme, earl of Shrewsbury. The last, the son of the great Montgomery, deserves some notice. He was the most powerful subject in England, haughty, rapacious, and deceitful. In these vices he might have many equals: in cruelty he rose pre-eminent among the savages of the age. He preferred the death to the ransom of his captives; it was his delight to feast his eyes with the contortions of the victims, men and women, whom he had ordered to be impaled: he is even said to have torn out the eyes of his godson with his own hands, because the father of the boy had committed some trivial offence, and had escaped from his vengeance.[14] Against this monster, not from motives of humanity but of policy, Henry had conceived the most violent hatred. He was cited before the king's court: the conduct of his officers in Normandy as well as in England, his words no less than his actions, were severely scrutinized: and a long list of five-and-forty offences was objected to him by his accusers. The earl, according to custom, obtained permission to retire, that he might consult his friends: but instantly mounted his horse, fled to his earldom, summoned his retainers, and boldly bade

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piatum. Orderic, 805. This was the great merit of the conqueror and his sons. They compelled their barons to decide their controversies in his court, instead of waging war against each other.

[14] Orderic, 815. 841. Ang. Sac. ii. 698, 699. Malms. 89.

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defiance to the power of his prosecutor. Henry cheerfully accepted the challenge, and began the war with the investment of the castle of Arundel, which, after a siege of three months, surrendered by capitulation. Belesme, in the interval, had fortified Bridgenorth on the left bank of the Severn, and placed in it a garrison of seven hundred men: but the townsmen, intimidated by the menaces of the king, rose upon their defenders, and opened the gates to the royal forces. Shrewsbury still remained in his possession. From that city to Bridgenorth the country was covered with wood; and the only road ran through a narrow defile between two mountains, the declivities of which he had lined with his archers. Henry ordered the infantry, sixty thousand men, to open a passage: in a few days the trees were felled: and a safe and spacious road conducted the king to the walls of Shrewsbury. At his arrival despair induced Belesme to come forth on foot: he offered the keys of the place to the conqueror; and surrendered himself at discretion. His life was spared: but he was compelled to quit the kingdom, and to promise upon oath never to return without the royal permission.[15]

Duke Robert in England. 1103.

Hitherto the duke had religiously observed the conditions of peace. He had even on the first notice of Belesme's rebellion, ravaged the

[15] Orderic, 806—808. Malms. 88. Chron. Sax. 210. Flor. 650, 651.

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Norman estates of that nobleman. Sensible, however, that the real crime of the outlaws was their former attachment to his interest, he unexpectedly came to England at the solicitation of the earl of Surrey, and incautiously trusted himself to the generosity of an unfeeling brother. He was received indeed with the smile of affection, but soon found that he was in reality a captive: instead of interceding in favour of others, he was reduced to treat for his own liberty: and as the price of his ransom, gladly resigned his annuity of three thousand marks, which, to save the honour of the two princes, was received as a present by the queen Matilda.[16] After such treatment Robert could not doubt of the hostility of his brother: and in his own defence sought the friendship, and accepted the services, of the outlaw Belesme, who still possessed thirty-four castles in Normandy. Henry received the intelligence with pleasure, pronounced the alliance between himself and Robert at an end, received, perhaps procured, invitations from the enemies of the duke, and resolved to transfer the Norman coronet to his own head.[17] He had even the effrontery to assume credit for the purity of his motives, and to hold himself out as the saviour of an afflicted country. It may, indeed, be, as his panegyrists assert, that the duke was weak and

Henry invades Normandy. 1105.

[16] Chron. Sax. 211. Malms. 88. Orderic, 805. Flor. 652.
[17] Chron. Sax. 212. Orderic, 808. 813.

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improvident: that he spent his time and his money in the pursuit of voluptuousness; and submitted to be robbed by his mistresses and the companions of his pleasures: that he suffered his barons to wage war on each other, and to inflict every species of calamity on his subjects:[18] still it will be difficult to believe that it was pity and not ambition; a hope to relieve the distresses of his countrymen, and not a desire to annex Normandy to his dominions; which induced Henry to unsheathe the sword against his unfortunate brother. The first campaign passed without any important result: in the second the fate of Normandy was decided before the walls of Tenchebrai. The king had besieged that fortress: and Robert on an appointed day approached with all his forces to its relief. The action was bloody and obstinate: but Helie de la Fleche, who fought on the side of Henry, unexpectedly attacked the enemy in flank; and the duke, the earl of Morton, Robert de Stuteville, Edgar the etheling,[19] and four hundred knights, fell into the hands of the conquerors. To some of his captives the king gave their freedom: others he released for a stipulated ransom; Morton and Stuteville were condemned to perpetual imprisonment. The fate of Robert was delayed for a few weeks. His

Robert taken prisoner.

Sept. 28.

[18] Orderic, 815. 821. Malm. 86. 89.

[19] Edgar was set at liberty by Henry (Chron. Sax. 214). It is the last time that mention is made of that prince.

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presence was wanted to procure from his officers the surrender of their trusts: as soon as he ceased to be useful, he was sent to England, and kept in confinement till death. In the course of a few weeks Belesme, through the interest of Helie, obtained permission to retain a portion of his estates: and Flambard purchased with the surrender of Lisieux, the restoration of his bishopric.[20] Henry summoned the Norman barons to that city, where he was acknowledged as duke without opposition.[21]

Dispute about investitures.

While the king had thus been employed in chastising his enemies, and stripping an unfortunate brother of his dominions, he was engaged in a less successful quarrel with Anselm and the court of Rome concerning the right of investiture. To understand the subject of the controversy, the reader should know that according to ancient practice the election of bishops had generally depended on the testimony of the clergy and people, and the suffrage of the provincial prelates. But the lapse of years, and the conversion of the barbarous nations, had introduced important innovations into this branch of ecclesiastical polity. The tenure of clerical, was as-

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[20] Eadmer, 90. Malm. 89. Hunt. 217. Orderic, 820—822. The duke was made prisoner by Galdric the king's chaplain, who was rewarded for his services with the bishopric of Landaff. But this warlike prelate soon incurred the hatred of the citizens, and was murdered in a field with five of his prebendaries. Orderic, 321.

[21] Orderic, 823. 833.

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similated to that of lay, property: the sovereign assumed the right of approving of the prelate elect; and the new bishop or abbot, like the baron or knight, was compelled to swear fealty, and to do homage to his superior lord. The pretensions of the crown were gradually extended. As it was the interest of the prince that the spiritual fiefs should not fall into the hands of his enemies, he reserved to himself the right of nomination; and in virtue of that right *invested* the individual whom he had nominated, with the ring and crosier, the acknowledged emblems of episcopal and abbatial jurisdiction. The church had observed with jealousy these successive encroachments on her privileges: in the general councils of Nice in 787, and of Constantinople in 869, the nomination of bishops by lay authority had been condemned: in 1067 the former prohibitions were renewed by Gregory VII.; and ten years afterwards Victor III. in a synod at Beneventum added the sentence of excommunication both against the prince who should presume to exercise the right of investiture, and the prelate who should condescend to receive his temporalties on such conditions. But it was in vain that the thunders of the church were directed against a practice enforced by sovereigns, who refused to surrender a privilege enjoyed by their predecessors, and defended by prelates who were indebted to it for their wealth and importance. The contest between the two

Origin of that claim.

powers continued during half a century: nor was it without mutual concessions that claims so contradictory could be amicably adjusted.

Its abuses.

It should, however, he remembered that the right for which the sovereigns contended, had at this period degenerated into a most pernicious abuse. The reader is already acquainted with the manner in which it had been exercised by William Rufus, who for his own profit refused on many occasions to fill the vacant benefices, and on others degraded the dignities of the church by prostituting them to the highest bidder. In France and Germany similar evils existed even to a greater extent. In Normandy the indigence of Robert had suggested an improvement on the usual practice, by selling the reversion of bishoprics in favour of children, and granting for a proportionate sum more than one diocese to the same prelate.[22] Every good man was anxious to suppress these abuses; and the zeal of the pontiffs was stimulated by the more virtuous of the episcopal order. Among these we must number Anselm. During his exile he had assisted at the councils of Bari and Rome, in which the custom of investiture had been again condemned, and the sentence of excommunication against the guilty had been renewed. At his first interview with Henry, he intimated in respectful terms his inflexible resolution to

Anselm opposes it.

[22] Ivon. Carnot. epist. 178, 179. 181.

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observe the discipline approved in these synods: and the king avowed an equally fixed determination to retain, what he conceived to be, the lawful prerogative of his crown. He stood, however, at that moment on very slippery ground. Without the aid of the primate he knew not how to put down the partisans, or to resist the forces of his brother Robert: it was more prudent to dissemble than to throw the clergy into the arms of his competitor: and by mutual consent the controversy was suspended, till an answer could be procured from the pope; which answer, as both had foreseen, was unfavourable to the pretensions of the monarch. It would exhaust the patience of the reader to descend into the particulars of this dispute: to notice all the messages that were sent to Rome, and the answers returned to England; the artifices that were employed to deceive, and the expedients suggested to mollify, Anselm. At last by the king's request he undertook, aged and infirm as he was, a journey to Italy, to lay the whole controversy before the pontiff: on his return he received an order to remain in banishment till he should be willing to submit to the royal pleasure. The exile retired to his friend the archbishop of Lyons, under whose hospitable roof he spent the three following years. In the interval Henry was harassed by the entreaties of his barons and the murmurs of the people: his sister Adela, countess of Blois,

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and his queen Matilda, importuned him to be reconciled to the primate: and Paschal II. who had already excommunicated his advisers, admonished him that in a few weeks the same sentence would be pronounced against himself. The king, who was not prepared to push the dispute to this extremity, discovered a willingness to relent. Anselm met him at the abbey of Bec; and both, in the true spirit of conciliation, consented to abandon a part of their pretensions. As fealty and homage were civil duties, it was agreed that they should be exacted from every clergyman before he received his temporalties: as the ring and crosier were considered to denote spiritual jurisdiction, to which the king acknowledged he had no claim, the collation of these emblems was suppressed.[23] On the whole the church gained little by the compromise. It might check, but did not abolish, the principal abuse. If Henry surrendered an unnecessary ceremony, he still retained the substance. The right which he assumed of nominating bishops and abbots was left unimpaired: and though he promised not to appropriate to himself the revenues of the vacant benefices, it was an engagement which he never hesitated to violate.[24]

Final settlement.

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[23] Eadmer, 56—91. [24] This controversy continued to embitter the life of pope Paschal. About three years after the compromise with the king of England, Henry IV. of Germany, consented to abandon the right of investiture on condition that the pontiff would

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War in Normandy.

The possession of Normandy soon involved the king in hostilities with the neighbouring princes. William, the only son of the captive duke, was but five years old at the time of the battle of Tenchebrai: and Henry, after caressing the boy, gave him to the custody of Helie de St. Saen, who had married an illegitimate daughter of Robert. But it was suggested by his advisers that the young prince might at some future period claim the dominions of his father: and a trusty officer was dispatched to surprise the castle of St. Saen, and secure the person of
1108. William. Helie was absent: but the ingenuity of his servants defeated the diligence of the royal messenger; and the tutor readily abandoned his estates to ensure the safety of his pupil. The son of Robert was conducted by him from court to court: and every where his

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crown him in Rome. But as soon as he was admitted within the walls, he seized on Paschal, conveyed him to a castle in the neighbourhood, and kept him in confinement for two months. To obtain his liberty the pope confirmed to Henry the contested right, and solemnly swore never to excommunicate or molest him for his exercise of it. This acquiescence of Paschal was severely condemned; provincial synods were assembled; the emperor was excommunicated; and the pope was harassed by complaints and reproofs. Unable to exculpate himself to the satisfaction of the more zealous of the prelates, he condescended to appear in the council of Lateran in 1112 without the ensigns of his dignity, and to submit his conduct to public inquiry. By order of the fathers the charter granted to Henry was burnt, and that prince was excommunicated. But Paschal himself, out of reverence to his oath, refused to pronounce the sentence, and persisted in that refusal till death. Baron. ad ann. 1111, 1112. Malm. 94.

innocence and misfortunes gained him partisans and protectors. Of these the most powerful were Louis, king of France, and Fulk, earl of Anjou. Louis engaged to grant him the investiture of Normandy, Fulk to give him his daughter Sibylla in marriage: promises, the performance of which was for the present suspended, on account of his minority. In the meanwhile Helie de la Fleche died. Henry claimed his earldom of Mans as an appendage of Normandy: Fulk seized it in right of his wife, the only daughter of Helie. The former was assisted by his nephew Theobald, earl of Blois, the latter by his superior lord the king of France. During two years victory seemed to oscillate between these competitors: and each ephemeral success, by whomsoever it was gained, invariably produced the same effects, the pillage of the country, and the oppression of the inhabitants. At length a peace was concluded, by the conditions of which the interests of the Norman prince were abandoned; Matilda, a daughter of Fulk, was promised in marriage to William, the son of Henry; and the earl was permitted to keep possession of Mans, as the feudatory of the English monarch. During the war the king had arrested Belesme, and confined him for life in the castle of Wareham.[25]

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1113.

It is concluded. 1115.

As William of Normandy advanced in age, the

[25] Orderic, 837—841.

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And renewed. 1118.

hopes of his partisans increased. Baldwin, earl of Flanders, with whom he had found an honourable retreat during the last five years, engaged to assist him with all his power: Louis, notwithstanding the peace, was induced to draw the sword in the same cause; even Fulk of Anjou agreed to join the confederates. All these princes had individually reasons to complain of Henry: they were willing to sanctify their resentments by espousing the interests of an injured orphan. Thus the embers of war were rekindled, and the flame stretched from one extremity of Normandy to the other. During more than three years fortune seemed to play with the efforts of the combatants. At first Louis was compelled to solicit the forbearance of the king of England: then success upon success waited on his arms: afterwards Baldwin died of a slight wound received at the siege of Eu: next Fulk of Anjou, induced by a considerable bribe, and the actual marriage of his daughter to Henry's son, withdrew from the allies; and at last the decisive

Battle of Brenville. 1119.

though almost bloodless victory of Brenville, gave the superiority to the king of England. By accident Henry and Louis met in the vicinity of Noyon. Henry had five, Louis four, hundred knights. The French fought on horseback: the English, with the exception of one fifth of their number, fought on foot. During the engagement both princes displayed the most determined courage, and both were in the most im-

minent danger. Henry received two blows on the head: but though the violence of the shock forced the blood from his nostrils, such was the temper of his helmet that it resisted the edge of the battle-axe. The horse of Louis was killed under him, and it was with difficulty that he escaped on foot in the crowd of fugitives. His standard and one hundred and forty knights remained in the hands of the conquerors. William of Normandy was in the battle, but saved himself by flight.[26]

Mediation of the pope.

An end was put to hostilities by the paternal industry of the pontiff, Calixtus II. Louis, attended by the son of Robert, appeared in the council of Rhemes; and in a speech of some eloquence had accused Henry of cruelty, injustice, and ambition. The royal orator had been answered by the archbishop of Rouen: but this prelate was heard with impatience, and frequently interrupted by the partisans of France. At the termination of the council, Calixtus himself visited Henry, to whom he was allied by descent; and the king of England attempted to justify or palliate his conduct in the presence of the pope. He denied that he had taken Normandy from his brother. That brother had previously lost it by his indolence and folly. All that he himself had done, was to wrest the ancient patrimony of his family from the hands

[26] Orderic, 842—854. Chron. Sax. 821. Hunt. 217. Malm. 90.

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of the traitors and rebels, into whose possession it had fallen. Nor was it true that Robert was kept in prison. He was treated as a prince who had retired from the cares and fatigues of government. He lived in a royal castle, was served with princely magnificence, and enjoyed every amusement that he desired. As for William, Henry assured the pontiff that he felt the affection of an uncle for the young prince: that it had been his intention to have educated him with his own son; and that he had frequently offered him an honourable asylum and three earldoms in England: offers which William had constantly refused at the suggestion of men, who were equally the enemies of the nephew and the uncle. Such flimsy reasoning could not deceive the penetration of Calixtus: but unwilling to urge a request, in which he foresaw he should not succeed, he diverted the conversation to the subject of the war, and obtained from Henry an avowal of the most pacific sentiments. The intelligence was immediately communicated to the different belligerents, and a treaty of peace was concluded under the auspices of the pontiff. Henry retained what he principally sought, the possession of Normandy, and the king of France, as sovereign lord, received the homage of William, Henry's son, in lieu of that of the father.[27]

Treaty of peace.

[27] Orderic, 858, 859. 865, 866. Malm. 93. The grandmother of Calixtus was Alice, daughter of Richard II. duke of Normandy. Orderic, 818.

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Remarks.

In perusing the history of this war, written by the pen of Orderic, the mind is surprised at the opposite instances of barbarism and refinement, of cruelty and humanity, with which it abounds. 1. The number of slain in the celebrated battle of Brenville amounted to no more than three: for, says the historian, christian knights contend not for revenge but for glory; they seek not to shed the blood, but to secure the person of their enemy.[28] Their great object was to throw him on the ground; and when this was affected, whether by a blow or by the death of his horse, the knight, enchased in ponderous armour, was unable to help himself, and lay the unresisting prize of his adversary. 2. Offices of civility were interchanged in the midst of hostilities: and the captive, who had signalised his courage, was often released without ransom by a generous conqueror. The king, after his victory, restored to Louis his charger, with the trappings of gold and silver: and his son at the same time sent to the son of Robert valuable presents, that the young exile might appear among foreigners with the splendour due to his birth.[29] 3. But their passions were violent and implacable: and in the pursuit of revenge their breasts seemed to be steeled against every sentiment of humanity. Eustace, lord of Breteuil, who had married Juliana, one of the king's illegitimate

Story of Juliana.

[28] Orderic, 854.

[29] Id. 855.

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daughters, had solicited the grant of a strong fortress, which was part of the ducal demesne. Henry entertained suspicions of his fidelity, but was unwilling to irritate him by an absolute refusal. It was agreed that two children, the daughters of Eustace and Juliana, should be given to Henry as hostages for the allegiance of their father: and that the son of Harenc, the governor of the castle, should be intrusted to that nobleman as a pledge for the cession of the place at the close of the war. Eustace was, however, dissatisfied: he tore out the eyes of the boy, and sent him back to his father. Harenc, frantic with rage, and impatient for revenge, demanded justice of Henry, who, unable to reach the person, bade him retaliate on the daughters, of Eustace. Their innocence, their youth, their royal descent, were of no avail: the barbarian deprived them of their eyes, and amputated their noses: and Henry, with an affectation of stoic indifference, loaded him with presents, and sent him back to resume the command. The task of revenge now devolved on Juliana, who deemed her father the author of the sufferings of her daughters. Unable to keep Breteuil against the royal forces, she retired into the citadel: abandoned by the garrison, she requested a parley with the king: and as he approached the wall, pointed an arrow and discharged it at his breast. Her want of skill saved her from the guilt of actual parricide: and necessity compelled

her to surrender at discretion. Had Henry pardoned her, he might perhaps have claimed the praise of magnanimity: but the punishment, which he inflicted, was ludicrous in itself, and disgraceful to its author. He closed the gate, removed the draw-bridge, and sent her a peremptory order to quit the castle immediately. Juliana was compelled to let herself down without assistance from the rampart into the broad moat, which surrounded the fortress, and to wade through the water, which rose to her waist. At each step she had to break the ice around her, and to suffer the taunts and ridicule of the soldiers, who were drawn out to witness this singular spectacle.[30] CHAP. III.

The ambition of the king was now gratified. His foreign foes had been compelled to solicit peace: his Norman enemies had been crushed by the weight of his arms; and if further security were wanting, it had been obtained by the investiture of the dutchy which had been granted to his son William. After an absence of four years he resolved to return in triumph to England. At Barfleur he was met by a Norman mariner, called Fitz-Stephen, who offered him a mark of gold, and solicited the honour of con- Shipwreck of prince William. 1120. Nov. 26.

[30] Ord. 854, 855. Eustace was a bastard, and had seized the lands of his father, to the prejudice of the lawful heir. Id. 810. Huntingdon attributes to Henry himself the punishment inflicted on his grand-daughters. Neptium suarum oculos erui fecit. Ang. Sac. ii. 699.

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veying him in his vessel "the White Ship." It was, he observed, new, and manned with fifty of the most able seamen. His father had carried the king's father when he sailed to the conquest of England: and the service by which he held his fee, was that of providing for the passage of his sovereign. Henry replied that he had already chosen a vessel for himself; but that he would confide his son and his treasures to the care of Fitz-Stephen. With the young prince (he was in his eighteenth year) embarked his brother Richard and his sister Adela, both natural children of Henry, the earl of Chester and his countess the king's niece, sixteen other noble ladies, and one hundred and forty knights. They spent some hours on deck in feasting and dancing, and distributed three barrels of wine among the crew: but the riot and intoxication which prevailed about sunset, induced the more prudent to quit the vessel, and return to the shore. Henry had set sail as soon as the tide would permit. William, after a long delay, ordered Fitz-Stephen to follow his father. Immediately every sail was unfurled, every oar was plied: but amid the music and revelling the care of the helm was neglected, and the "White Ship" struck against a rock called the Catteraze. The rapid influx of the water admonished the gay and heedless company of their alarming situation. By Fitz-Stephen the prince was immediately lowered into a boat, and told to row

back to the land: but the shrieks of his sister recalled him to the wreck, and the boat sank under the multitude that poured into it. In a short time the vessel itself went down, and three hundred persons were buried in the waves. A young nobleman, Geoffry de l'Aigle, and Berold, a butcher of Rouen, alone saved themselves by clinging to the top of the mast. After a few minutes the unfortunate Fitz-Stephen swam towards them, inquired for the prince, and being told that he had perished, plunged under the water. Geoffry, benumbed by the cold of a November night, was soon washed away, and, as he sank, uttered a prayer for the safety of his companion: Berold retained his hold, was rescued in the morning by a fishing-boat, and related the particulars of this doleful catastrophe. Henry had arrived at Southampton, and frequently expressed his surprise at the tardiness of his son. The first intelligence was conveyed to Theobald of Blois, who communicated it to his friends, but dared not inform the king. The next morning the fatal secret was revealed by a young page, who threw himself in tears at his feet. At the shock Henry sank to the ground, but recovering himself, affected a display of fortitude, which he did not feel. He talked of submission to the dispensations of Providence: but the wound had penetrated deep into his heart: his grief gradually subsided into a settled melancholy; and it is said that from

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that day he was never observed to smile.[31] Matilda, by the death of her husband, became a widow at the age of twelve, within six months after her marriage. By Henry she was treated with the affection of a parent: but at the demand of her father returned to Anjou, and ten years afterwards put on the veil in the convent of Fontevraud.[32]

Projects of William of Normandy.

By the generality of the nation the loss of the prince was not regretted. From the arrogance and violence of his youth men had learned to fear the despotism of his maturer years. He was already initiated in all the mysteries of iniquity: and had publicly avowed on every occasion his contempt and hatred of the English.[33] But Henry, deprived of his only legitimate son, had new plans to form, new precautions to take, against the pretensions and attempts of his nephew. On that prince every eye was fixed: his virtues and misfortunes were the theme of general conversation: and few men doubted that he would ultimately succeed to the throne. Fulk of Anjou, whom the king

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[31] Id. 867—869. Chron. Sax. 222. Simeon, 242. [32] Orderic, 875.

[33] Displicebat autem mihi, says a writer who knew him, nimius circa eum cultus, et nimius in eo fastus—semper de fastigio superbo tumidus cogitabat. Huntingdon, in Ang. Sac. ii. 696. I will add what he and another ancient writer say of him and his companions. Omnes aut fere omnes sodomitica labe dicebantur, et erant, irretiti. Hunt. 218. Filius regis et socii sui incomparabili superbia tumidi, luxuriæ et libidinis omni tabe maculati. Gervas. 1339.

had offended by refusing to return the dower of Matilda, affianced to him his younger daughter Sibylla, and gave him the earldom of Mans; while the most powerful barons of Normandy, Amauri of Montfort, and Walleran, the young earl of Mellent, undertook to assist him on the first opportunity with all their forces and influence. Henry by his spies was informed of the most secret motions of his enemies. In the court of Anjou he employed threats, and promises, and bribes, to prevent the intended marriage: he even undertook to prove that the two parties, William and Sibylla, were relations within the prohibited degrees of consanguinity.[34] CHAP III.

In Normandy he suddenly landed with a numerous body of English forces; summoned his barons to attend him; and without communicating his intentions to any individual, marched out of Rouen on a Sunday after dinner, with the whole army. Hugo of Montfort, one of the chief conspirators, was immediately called before the king, and ordered to surrender his castle. He assented with apparent cheerfulness, and was dispatched with an escort to give orders to the garrison: but in passing through a wood, he suddenly turned down an unfre- War in Normandy. 1123.

[34] Chron. Sax. 231. Malms. 99. Ord. 883. According to him they were related in the sixth degree. But the allegation was most impudent on the part of the king. In whatever relation Robert stood towards Fulk, Henry must have stood in the same. Yet he had already married his son to one of Fulk's daughters, and afterwards married his daughter to one of Fulk's sons.

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quented path, escaped his pursuers, reached Monfort, and ordered his retainers to hold it against all the power of Henry. For some time they complied with the will of their lord: but at length despairing of succour, surrendered upon terms. From Montfort the king proceeded to Pont-Audemer, a strong fortress defended by one hundred and forty knights: but a tower of wood was constructed twenty-four feet higher than the walls; and the archers from its summit so annoyed the besieged, that after a defence of seven weeks, they were compelled to open the gates. The next year he was still more fortunate. As the insurgent barons were returning from a successful expedition, they were opposed by Ranulf of Bayeux, and William of Tankerville, with a body of men selected from the neighbouring garrisons. The battle was gained, and the war terminated by forty English archers. These, as the enemy charged, drew their bows: the foremost horses were slain: others fell over them: and the rest of the insurgents, seeing the confusion, immediately fled. Eighty knights in their armour were found lying on the ground: and among them were captured the chief promoters of the rebellion. Fulk immediately abandoned the cause of his intended son-in-law, and peace was once more restored.[35]

1124. Mar. 25.

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[35] Orderic, 873—880. Simeon, 250. Chron. Sax. 227.

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William made earl of Flanders.

The life of William, the son of Robert, was an alternating series of elevation and depression. If the sudden fate of his cousin had awakened his hopes, they were soon defeated by the sagacity and promptitude of his uncle: but he was amply repaid for the disappointment by the bounty of Louis, who in lieu of Sibylla, bestowed on him the hand of his sister-in-law, and gave for her portion Chaumont, Pontoise, and the Vexin on the borders of Normandy; whence, by his proximity, he was enabled to encourage his partisans, and to keep alive the spirit of opposition to Henry.[36] Soon afterwards Charles the good, earl of Flanders, and the successor of Baldwin, was assassinated. He was at his devotions in a church at Bruges, when Burchard de L'isle suddenly assailed him with a body of armed men, and murdered him at the foot of the altar. On the first intelligence of this event, William of Ipres surrounded the walls with his retainers: the king of France followed with a formidable force: and after a siege of five weeks the gates were burst open, and the assassins were precipitated over the battlements of the castle. William had accompanied his benefactor, and received from him the investiture of the earldom, which he could justly claim as the representative of Matilda his grandmother, the daughter of Baldwin V.[37]

1127. March 1.

[36] Ord. 884.

[37] Ibid. Hunt. 919.

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Thus again by the caprice of fortune was he raised to a high degree of power, and placed in a situation the most favourable for the conquest of Normandy. Henry began to tremble for the safety of his continental possessions.[38]

Death of queen Matilda.

It is now time to notice the measures by which that monarch had sought to perpetuate the succession in his own family. Matilda had brought him two children, a son, William, whose premature fate the reader has already witnessed, and a daughter, Alice, who afterwards assumed the name of her mother.[39] For the last twelve years of her life the queen resided at Westminster, deprived of the society of her husband, but surrounded with the parade of royalty, and an object of veneration in the eyes of the people, by whom she was generally denominated Molde, the good.[40] The purity of her character was beyond the reach of suspicion: acts of benevolence, and exercises of devotion, occupied her time: and to listen to the chants of minstrels and the verses of poets formed her principal amusement. One fault she is said to have had. She was liberal beyond her means: and her officers, to supply the

[38] Se diadema regni amissurum pro certo putabat. Hunt. Ang. Sac. ii. 699. [39] She is called Æthelice in the Saxon Chronicle (230); the same name with Adela, Adelais, and Alice. About this period Matilda became a favourite appellation, probably because it was that of the conqueror's consort. The original name of Henry's queen was Editha, which she afterwards exchanged for Matilda. [40] Rudborne, 276.

current of her munificence, were occasionally compelled to oppress her vassals.[41] By her death in 1118 the king found himself at liberty to contract another marriage: but the restraints of wedlock did not accord with his love of pleasure, and inconstancy of affection; nor did he think of a second wife, till the loss of his son the etheling, had brought the succession within the grasp of his nephew. To defeat the hopes of that prince he offered his hand to Adelais, the daughter of Geoffry, duke of Louvain, and niece to pope Calixtus, a princess, whose chief recommendation was her beauty and youth.[42] Their union proved without issue: and after a delay of three years, he formed the resolution of settling the crown on his daughter Maud, who had married Henry IV. of Germany, and by the death of her husband was lately become a widow. In the pursuit of this object it was necessary for the king to subdue the reluctance both of the princess herself, and of the English barons. Maud was unwilling to quit a country in which she possessed a noble dower, for a

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1118. May 1.

King's second marriage. 1121. Feb. 2.

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[41] Malms. 93.

[42] Eadmer, 136. Phillippe de Thaun, a contemporary poet, calls her, "mult bele femme," MS. Nero. A. 5. Huntingdon sings her praise in the following not inelegant lines:

Quid diadema tibi, pulcherrima, quid tibi gemmæ?
Pallet gemma tibi, nec diadema nitet:
Ornamenta cave: nec quidquam luminis inde
Accipis: illa micant lumine clara tuo.

Hunt. 218.

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precarious and disputed succession: and the barons revolted from the idea of a female reign, a species of government new in the annals both of England and Normandy. The empress, however, submitted to the peremptory commands of her father, and was met on her arrival by her uncle David, king of Scotland. The acquiesence of the more powerful barons had been prepared by presents and promises: for 1126. greater security, Robert, the captive duke of Normandy, was removed from Devizes to Cardiff, from the custody of the bishop of Sarum to that of Robert of Caen, earl of Glocester, the king's natural and favourite son: and a general assembly was summoned of the prelates, and chief tenants of the crown. Before them Henry lamented the premature death of his son, and proposed his daughter Maud as presumptive heiress to the succession. She united, he observed, in her veins the blood of the Anglo-Saxon, with that of the Norman, princes. By her mother she was descended, through a long line of sovereigns, from Egbert and Cerdic: her father was the reigning king, and her uncle and grandfather had been the two last monarchs of England. Whatever might be the sentiments of his hearers, no one ventured to incur his resentment by hazarding an objection: the empress was unanimously pronounced the next heir, in the event of her father dying without male issue: and first the clergy then the

Crown settled on Matilda. 1126. Dec. 25.

laity, swore to maintain her succession. Among the laity the precedence was given to her uncle David on account of his regal character. The second place was disputed between Stephen, earl of Boulogne, and Robert, earl of Glocester. The former was the king's nephew by his sister Adela, and had been born in lawful wedlock: the latter was Henry's son, but of spurious birth: and the point to be decided was, whether precedence was due to legitimacy of descent, or to proximity of blood. In the present times this would not admit of a doubt: even then, though the reigning family derived its claim from a bastard, the question was determined in favour of Stephen. But these noblemen had in view a secret, and more important object. Notwithstanding the precautions of Henry, the succession of Maud was considered as very uncertain: both Stephen and Robert looked forward to the crown; and on that account each was anxious to be declared the first prince of the blood.[43] CHAP. III.

The reader has noticed the constant solicitude of Henry to secure the friendship of Fulk, count of Anjou. That nobleman had lately resigned his European states to his eldest son, and had accepted the more brilliant but precarious dignity of king of Jerusalem. Henry offered with eagerness the hand of Matilda to She is married to the earl of Anjou.

[43] Malm. Novel. 99. Chron. Sax. 231.

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Geoffry the reigning earl. The marriage was negotiated in secret: its publication excited the loud complaints of the English and Norman barons. They claimed a right to be consulted in the disposal of their future sovereign: and many declared that they looked on themselves as released from the obligation of their oath by the duplicity of the king. He disregarded their murmurs, and applauded his own policy, which had thus connected the interests of the Plantagenets with the interests of his own family.[44]

Death of the earl of Flanders. 1128.

Still it was impossible for him to contemplate without disquietude the increasing fame and power of his nephew the earl of Flanders, whose ruin he deemed necessary both for his own tranquillity, and the future security of his daughter. William had justly, but perhaps imprudently, punished the murderers of his predecessor. Their friends sought to be revenged on the new earl: at their suggestion Thierry, landgrave of Alsace, advanced a claim to the succession: and Henry engaged to support him with all the power of England and Normandy. Lisle, Ghent, and several other places were perfidiously surrendered to Thierry; but William displayed his wonted activity and courage, and completely defeated his antagonist under the walls of Alost. Unfortunately, after the battle, and at the very gate of the town, he received

[44] Malm. 99. Hunt. 219. They were called Plantagenets from heir device, a sprig of broom, or plante de genêt.

a thrust in the hand from the pike of a foot-soldier. The wound was slight, and therefore neglected: a mortification ensued: and the expiring prince was conveyed to the monastery of St. Omer. There, from his death-bed, he wrote to Henry, recommending to the clemency of his uncle, the Norman barons, who had followed the fortunes of him, whom they deemed their legitimate prince. The king, when he had nothing more to fear from the pretensions of his nephew (for William left no issue) granted his request, and by this affectation of generosity, won the attachment of his Norman subjects.[45]

CHAP. III.

July 27.

Thus, by the aid of accident and the resources of his own genius, had Henry triumphed over every obstacle that appeared to oppose his wishes. Still it was not his lot to reap the fruit of his labours. The very measure on which he had founded his expectations of tranquillity, proved a constant source of disquietude. It was with reluctance that Maud had condescended to marry Geoffry. To exchange the state of an empress for the lower condition of a countess of Anjou, and to be subjected to the wild and wayward caprice of a boy of sixteen, hurt and irritated her feelings. Geoffry, on the other part, had inherited the uncontrollable spirit of his progenitors: he disdained to

Quarrel between Henry and his son-in-law.

[45] Hunt. 219. Ang. Sac. ii. 697. Chron. Sax. 232. Orderic, 885, 886.

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sooth, and made it his aim to subdue, the pride of his wife. They quarrelled, separated, and Maud repaired to England to solicit the protection of her father. A year elapsed in fruitless negotiations. At length the earl condescended to express a wish for the return of his wife, and a reconciliation was apparently effected. If the successive births of three grandsons, Henry, Geoffry, and William, were to the king subjects of joy, he was equally chagrined by the conduct of his son-in-law, who demanded the present possession of Normandy in virtue of a previous promise, and manifested his displeasure at the refusal of Henry by repeated insults. Neither did Maud act the part of a mediatrix. Disliking her husband, she endeavoured to widen the breach by offending Geoffry herself, and seeking by her reports to irritate her father. These family broils detained the king in Normandy, and occupied his attention during the last years of his reign.[46]

His administration of justice.

But though he resided so frequently on the continent, and was so anxious to secure his transmarine possessions, he did not neglect the government of his kingdom of England, by far the most valuable portion of his dominions. The administration of justice, and the preservation of the public tranquillity, were objects which he had constantly at heart, and which he

[46] Malm. 100. Hunt. 229. Hov. 275. Orderic, 900.

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earnestly recommended to the vigilance of his officers. 1. The severity, with which he punished the more flagrant violations of the laws, was a source of terror and amazement to his subjects, who believed him to be the "lion of "justice," described in the pretended prophecies of Merlin.[47] When he came to the throne robbery and rapine were crimes prevalent in every province of the kingdom: before his death they became so rare, that "whosoever," says the Saxon chronicle in the language of the time, "bore his burthen of gold and silver, no man "durst say to him aught but good."[48] On one occasion, when the justiciary Ralph Basset held a court at Huncot in Leicestershire, no fewer than forty-four robbers were condemned and executed.[49] This was in the year 1024, when neither interest nor presents could save the malefactor from death or mutilation: but afterwards, whether it was that the necessity of rigour had decreased with the frequency of crime, or that the love of money began to predominate over the love of justice, pecuniary compensations, which had been abolished in the beginning of Henry's reign, were again accepted in lieu of corporal punishment.[50]

He punishes the coiners.

II. Under the Saxon dynasty the licence to coin money had been farmed out to different individuals in the principal boroughs, who with

[47] Bromp. 998. Joan. Salis. Polycrat, vi. 16.
[48] Chron. Sax. 237. [49] Id. 228. [50] Malm. 91.

CHAP. III.

the dies received their instructions from the royal treasury. By the conqueror and his son Rufus the same custom had been continued: and these persons, by debasing the quality, or diminishing the weight, of the silver pennies, amassed considerable wealth, and at the same time screened themselves from punishment by frequent and valuable presents to the monarch. Henry, in the charter which he granted at his accession, had engaged to redress this grievance. By the Saxon laws the offender was condemned to suffer the amputation of the right hand, which, as a memorial of the crime, was affixed with nails to the door of his house. To the loss of the hand or that of the eyes, which he sometimes substituted in its place, the king added the
1108. punishment of castration. The inhabitants of boroughs, the principal merchants of the time, were sworn to watch over the purity of the coin, and to prosecute delinquents: and the same penalty was denounced against those who attempted to pass, as against those who fabricated, pennies of inferior value.[51] Still the evil connued to increase, till in the twenty-fifth year of his reign, it had become so universal, that hardly one penny in twelve was taken in the market. The royal indignation now fell on the
1125. coiners. By a general precept they were all summoned to appear at the court of exchequer

[51] Leg. Sax. 305. Hov. 274.

in Winchester. Each in rotation was examined before the bishop of Salisbury, the treasurer, who, if he judged him guilty, ordered him to be taken to a neighbouring apartment, where he immediately suffered the punishment prescribed by law. Of more than fifty, who obeyed the summons, four only escaped.[52] This severity would, it was hoped, intimidate the future fabricators of money: and we may presume that to remedy the evil of the moment a new coinage was issued, and the old withdrawn from circulation.[53]

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III. Another grievance, which had been constantly increasing during the two last reigns, had grown out of the royal claim of purveyance. Whenever the king moved from place to place, he was attended by a number of prelates, barons, and officers; each of whom was followed by a long train of dependants. All these expected to be maintained at the expense of the country through which they passed. Hence the progress of the court was like the progress of a hostile army: and the devastation which the king's fol-

And the followers of the court.

[52] Chron. Sax. 228, 229.

[53] The pennies had hitherto borne on the reverse the impression of a cross, which divided them into halves and quarters, and for convenience they were occasionally cut according to the lines of this cross into half-pennies and farthings. As many persons refused to take good silver after the penny had been cut, the king ordered, that for the future both half-pennies and farthings should be coined circular, like the pennies, and be in that form a legal tender which no one should refuse with impunity. (Eadmer, 94. Sim. 254. whose text should be corrected from Hoveden, 270.)

CHAP. III.

lowers are said to have caused would hardly deserve credit, were it not attested by contemporary and unexceptionable writers. They were accustomed to enter without ceremony the houses of the farmers and husbandmen; to live at free quarters; and, in the insolence of superiority, to sell, burn, or waste, what they could not consume. The miserable inhabitants saw their corn and cattle carried away, and their wives and daughters insulted before their faces; and, if they dared to remonstrate, their presumption was punished, often by the conflagration of their houses, sometimes by mutilation, and occasionally by death. Hence the approach of the king to any district, was a signal to the natives to conceal their effects, and flee to the woods; and the solitude of the country whereever he turned, at length convinced him of the magnitude of the evil, and warned him to apply an effectual remedy. A commission of judges was appointed: the attendants on the court were examined before them: and the more guilty were punished by the loss of an eye, or of a hand, or of a foot. The fate of these delinquents impressed a salutary terror on their fellows: and similar enormities were seldom repeated during the remainder of the king's reign.[54]

[54] Chron. Sax. 212. Malm. 91. Eadmer, 94. Quæ justitia in pluribus visa, cæteros integritatem sui amantes, ab aliorum læsione deterrebat. Ibid. From this and similar expressions in our ancient

Relieves his own tenants.

IV. If Henry thus relieved his subjects in general, he was equally just to the complaints of his own tenants. It has been already observed that in most counties a considerable portion of land was the property of the crown, the occupiers of which were bound to pay their rents in kind for the support of the royal household. This obligation imposed on the tenants, what they deemed a heavy burthen, the necessity of transporting in many cases, the produce of their farms to a considerable distance: but it was soon commuted for another, which they found it still more difficult to support. After the king began to reside principally on the continent, payments in kind were no longer wanted, and payments in money were demanded. Had these been determined according to an equitable rate, the change would have been a benefit: but they were left to the discretion or caprice of the royal officers, who were careful to enrich themselves by the oppression of the tenants. The latter harassed the king with repeated remonstrances, and on some occasions surrendered to him their ploughs, as a proof of their inability to continue the labours of agriculture under the existing

writers, it would appear that the punishment of mutilation was thought more useful than that of death. The latter might strike more at the moment: but the sight of it was confined to few, and the impression which it made, was soon obliterated. But the culprit who had suffered mutilation, carried about with him the evidence of his punishment during life, and daily admonished all who saw him, of the consequences of violating the laws.

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burthens. Henry consulted his ministers, and a remedy was easily devised. A new survey was made of the royal demesnes: a certain and equitable rent in money was fixed by the commissioners: and the tenants were ordered to account annually with the sheriff, whose duty it was to pay the receipts into the exchequer.[55]

His method of raising money.

V. It should, however, be observed, that the equity and humanity of the king were of a very questionable description. As long as his own interests were not concerned, he shewed no reluctance to check or punish the exactions or rapacity of others: but in the pursuit of his own aggrandizement, he scrupled not to trample on every consideration of justice, and to sport with the fortunes and happiness of his subjects. His system of continental policy involved him in enormous expenses: for money was the principal weapon with which he fought; and he had seldom recourse to arms, till he had tried the efficacy of bribes and promises. Hence he was constantly haunted with apprehensions of poverty; and his ministers were employed in devising the means to acquit his past, and to provide for his future engagements. The dane-gelt, at the rate of twelve pennies in the hide, was continued during the whole of his reign: an additional aid of three shillings per hide was required on occasion of the marriage of his daugh-

[55] Vid. Seld. Spicil. ad Eadm. 216, 217.

ter Matilda: and yearly complaints of new and excessive exactions may be read in almost every page of the Saxon annalist.[56] The science of taxation was then in its infancy. To ease, by equalizing the burthen, never entered into the thoughts of the financiers of the age: a certain sum of money was wanted by the king; it was wrung by the strong hand of power from the reluctant grasp of the subject. The collectors, says Eadmer, seemed to have no feelings of humanity or justice. If a man were without money, he was cast into prison, or forced to flee from the country; his goods were sold; the doors of his house carried away; and the slender remains of his property exposed to the mercy of every passenger. If a man had money, he was harassed with threats of prosecution for imaginary offences, till he had surrendered all that he possessed. For no one dared to enter into litigation with his sovereign, or by refusing to pay the present demand, subject himself to the immediate loss of his whole property. Yet, adds the historian, there are many who will think little of such enormities: so much have we been habituated to them under the two last monarchs.[57]

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[56] Chron. Sax. 211, 212, 213. et seq. Hunt. 217, 218, 219. Bromp. 1001.

[57] Ead. 83. "God knows," says the Saxon chronicle, "how unjustly this miserable people is dealt with. First they are deprived of their property, and then they are put to death. If a

CHAP. III.

From ecclesiastical benefices.

The ecclesiastical history of this period furnishes numerous instances of royal rapacity. In the charter which the king had published at his accession, he solemnly engaged neither to sell the vacant benefices, nor to apply their profits to his own use. This promise was violated as soon as it could be done with impunity. That the crown might enjoy the episcopal revenues, the bishoprics of Norwich and Ely were kept without prelates for three, those of Canterbury, Durham, and Hereford, for five, years. At his coronation he had promoted to the see of Winchester his chancellor, William Gifford. Soon afterwards he extorted from the new prelate the sum of eight hundred marks. He valued the revenue of Lichfield at three thousand marks, and compelled Roger the nephew of Geoffry Dedington, to pay that sum before he would name him to the bishopric. Gerald had been made abbot of Tewkesbury. Unable to satisfy the repeated demands of the king, he was necessitated to resign his abbey. Gilbert bishop of London had acquired the reputation of a careful and opulent prelate. At his death all his treasures were seized for the benefit of the crown.[58] From the manner in which these iniquitous proceedings are casually mentioned

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" man possesses any thing, it is taken from him: if he has nothing, " he is left to perish by famine." Chron. Sax. 228.

[58] Sim. Dunelm. 62. 256. Ang. Sac. i. 297. 304. 408. 609. ii. 698. Ead. 109.

by the contemporary writers, we may reasonably infer that they were not of very rare occurrence.

And the canonical transgressions of the clergy.

I will add another, and more singular instance. The reader has already noticed the attempt of archbishop Dunstan to restore, during the reign of Edgar, the ancient discipline of the celibacy of the clergy. The execution of the canons which he published on that subject, was suspended during the invasion of the Danes under Sweyn, and was afterwards neglected under Canute and his successors. When Lanfranc had been promoted to the see of Canterbury, he resolved to imitate the conduct of Dunstan, but at the same time was careful to temper his zeal with moderation. In a synod, which he convened at Winchester in 1075, the village curates who were married, received permission to retain their wives; but the obligation of celibacy was imposed on the higher and conventual clergy, and a vow of continency was required from all future candidates for the orders of deacon and priest. At the distance of six-and-twenty years another synod was held at Westminster by archbishop Anselm. Here it was enacted that every priest and deacon should be obliged to observe the promise which he had made at his ordination, and that all future subdeacons should be subjected to the same restraint.[59] To Henry it was suggested that this

[59] Ead. 67.

CHAP. III.

canon might be converted into a source of revenue. A commission was in consequence appointed, with orders to inquire into the conduct of the clergy, and to impose a heavy fine on every individual, who might be found to have transgressed the regulation of the synod. The result shewed, that the number of offenders was too small to raise any considerable sum; but the king, that his expectations might not be defeated, ordered a certain fine to be levied on every parochial clergyman, without regard to his guilt or innocence. With its amount we are not acquainted; but the consequences prove that it must have been excessive. Some, through indignation at the injustice of the measure, refused, others, through poverty were unable, to pay. Both classes were imprisoned and tortured. Their brethren, who remained at liberty, appealed to the clemency of the king. To the number of two hundred, with their feet bare, and clad in the appropriate dress of their respective orders, they met him in one of the streets of London. He turned from them with expressions of insult. They next implored the intercession of the queen: but Matilda, with tears in her eyes, assured them that she did not dare to interfere.[60]

[60] Ead. 83, 84. Some years later he adopted a different plan. The bishops in a council at London, requested him to enforce the celibacy of the clergy by royal authority. He accepted the office, and abused their confidence. In order to raise money, he publicly sold to any, who were willing to buy, the licence to transgress the canons. Hov. 274. Hunt. 220. Chron. 234.

CHAP. III.

Dispute respecting papal legates.

The most important controversy in which Henry was engaged with the court of Rome, regarded the admission of the papal legates. On the one side it was contended that the pope, in quality of universal pastor, had the right to inquire by confidential ministers into the state of the church in distant countries; and that the abuses which had arisen from the prevalence of simoniacal elections, imperiously required the exercise of that right. On the other it was alleged, that by the grants of former popes the archbishop of Canterbury was entitled to the authority of papal legate within the kingdom: and that no instance was known of such authority having been exercised by a foreign ecclesiastic, unless it were at the express request of the sovereign.[61] This answer was but partially correct. In the earliest ages of the Anglo-Saxon church we find the archbishop of Canterbury invested with the title of envoy of the apostolic see:[62] but the history of the same ages furnishes several instances of legates, who were sent from Rome to reform the English clergy, and who in virtue of the papal commission assembled councils and promulgated laws of ecclesiastical discipline.[63] The question was debated during a great portion of Henry's reign. Some legates were induced by threats or promises to return without attempting to land. Others were re-

[61] Ead. 58. 118. 126. [62] Edd. vit. Wilf. c. li.
[63] Bed. iv. 18. Wilk. Con. i. 146.

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ceived, and introduced to the king, who by gifts and remonstrances prevailed on them to waive the exercise of their authority. Perhaps they were unwilling to offend a prince, who loaded them with presents; perhaps they feared to compromise their character, by entering into a contest of doubtful issue. At length Paschal II. sent an earnest expostulation to the king and the prelates. He complained that without the royal licence neither his letters nor envoys were admitted into the kingdom: that no causes or appeals were carried before the apostolic see; and that in consequence men of worthless characters were promoted to benefices, and by their conduct encouraged the growth of those abuses, which it was their duty to extirpate.[64] This expostulation was followed by a legate of the
1116. name of Anselm. On his arrival in Normandy, the English bishops were hastily assembled: and by their advice Ralph, the metropolitan, undertook a journey to Rome, to plead in person the privileges of his church. After an absence of two years he returned. Sickness and the wars in Italy had prevented him from seeing the pontiff, and he brought with him no more than an evasive letter, in which, though the privileges of the church of Canterbury were confirmed, no mention was made of the real point in dispute.[65] If we may believe our national

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[64] Ead. 112, 116.

[65] Ibid. 120.

historians, the king was more successful than his archbishop: and in an interview with Calixtus, one of the successors of Paschal, at Gisors, obtained the confirmation of the privilege for which he contended.[66] There is, however, reason to doubt the accuracy of this statement: for after a short interval, the cardinal Peter, the son of a powerful Roman prince, arrived in France with the lofty title of legate of the apostolic see in the Gauls, in Britain, in Ireland, and in the Orkneys. Henry received him with much ceremony in London, but observed to him, that he would never surrender the rights of his crown: that were he inclined to do so, still it would be necessary to obtain the consent of the prelates, the barons, and the whole kingdom; and that it was impossible to convene such an assembly as long as the nation was engaged in hostilities with the Welsh. Peter assented to the reasons of the king; and on his return to the coast was attended by a numerous escort, and gratified with valuable presents.[67] Calixtus appears to have been dissatisfied with the conduct of this legate; and appointed the cardinal John of Crema to succeed him in the same capacity. His mission was delayed by the death of the pope; but on a renewal of the appointment by Honorius II. he advanced as far as Normandy, where he was detained by the orders

CHAP. III.

1120.

1122.

[66] Ead. 125, 126.

[67] Ibid. 137, 138.

CHAP. III. 1125.

of Henry. After a long negotiation he obtained permission to proceed; traversed the kingdom in great pomp; and met the king of Scotland at Roxburgh. There he held a synod of Scottish bishops, to inquire into the controversy between them, and the archbishop of York, who claimed metropolitical jurisdiction over their churches.[68] In his return he presided at Westminster in a council of the English prelates, with forty abbots and most of the other dignitaries. Seventeen canons of discipline were enacted at his suggestion, the object of which was to enforce the celibacy of the clergy, and to abolish simoniacal elections and contracts.[69] William, archbishop of Canterbury, accompanied Crema in his return to Rome: and, though he could not prevail on the pontiff to surrender his claim of sending envoys to the English

Sept. 8.

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[68] Sim. 252. [69] The name of Crema has been rendered infamous by the pen of Huntingdon, who maintains in the most positive terms, that on the very night of the dissolution of the council he was detected in the commission of the offence, which he had so severely condemned in others. Cum meretrice intercceptus est. Res apertissima negari non potuit. Hunt. 219. The same story is told on the authority of Huntingdon by Hoveden (274), Brompton (1015), and Hemingford (276). It is, however, singular that he should be the only contemporary writer, who mentions the fact. It seems to have been unknown to the continuator of Florence, who relates in detail the acts of the synod (661); and to Simeon, who adds many other particulars of Crema's legation (252); and also to Gervase, whose enmity to the cardinal paints itself in the strongest colours (1663). The tales of the later writers, Westminster (240), and the monk of Winchester (Ang. Sac. i. 291), are too ridiculous to deserve mention.

church, obtained for himself a grant of the legatine authority both in England and Scotland.[70] Soon afterwards he convoked a national synod, and published several canons of discipline, similar in substance to those of Crema; but with some variations, that they might not appear to rest on the authority of that cardinal. When Honorius died, the succession to the papacy was disputed between two competitors, Innocent and Anaclet: and Henry, in opposition to the advice of his bishops, was persuaded by the celebrated St. Bernard, to espouse the cause of the former. He met Innocent at Chartres, fell at his feet, and promised him the obedience of a dutiful son.[71] This pontiff confirmed the grant of his predecessor to the archbishop of Canterbury, who, in quality of metropolitan and legate, continued to govern the English church during the remainder of Henry's reign.[72]

CHAP. III. Sep. 29.

1130.

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[70] See the bull in Wharton (Ang. Sac. i. 792), though he supposes erroneously that it was prior to the legation of Crema.

[71] Bern. Bonæval. inter. op. S. Bern. 1991. Suger, vit. Lud. Gras. [72] Wharton (Ang. Sac. i. 792) is very severe on the memory of this prelate, whom he accuses of having, by the acceptance of the legatine authority, subverted the independence of his church, and enslaved it to that of Rome. Had William indeed believed, with Wharton, that the pope previously possessed no jurisdiction in England, he would have deserved this censure: but he acknowledged, like his predecessors, the papal authority (See Malm. 112—116), and, if he objected to the admission of foreign legates in England, it was, not because the church of Canterbury was independent, but because the authority of legate had been previously granted by the popes to the archbishop of Canterbury. Inauditum

CHAP. III.

Death of duke Robert.

Robert, the unfortunate duke of Normandy, had now spent eight-and-thirty years in captivity. According to some historians he bore his confinement with impatience: and by an unsuccessful attempt to escape, provoked his brother to deprive him of sight.[73] For the honour of human nature we may hope that the latter part of the account is false: the more so, as it is not supported by contemporary authority. If Henry may be believed, the reader has already heard him boast of the splendour and comfort enjoyed by his captive: and Malmsbury (but Malmsbury wrote to the son of Henry, and therefore was disposed to panegyrize the father) seems to confirm this statement, when he assures us that the duke was allowed every indulgence compatible with his security.[74] Robert died at the age of eighty in the castle of Cardiff in Wales.[75]

1134.

Death of Henry. 1135. Nov. 27.

Henry did not survive his brother more than a year. He had been hunting near St. Denis le Froment in Normandy, and at his return was seized with an acute fever. On the third day, despairing of his recovery, he sent for the archbishop of Rouen, from whom he received the sacraments of the eucharist and extreme unction. The earls of Glocester, Surrey, and Lei-

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scilicet in Britannia cuncti scientes, quemlibet hominem supra se *vices apostolicas gerere* nisi solum archiepiscopum Cantuariæ. Ead. 58. See the grants to the archbishops Tatwine, Plegmund, and Dunstan, in Malmsbury de Pont. ii. 116.

[73] Paris, 52. [74] Malm. 87. [75] Orderic, 893. 900.

cester, and the rest of the nobility assembled round his bed: and in their presence he pronounced his last will. I bequeath, he said, all my lands on both sides the sea to my daughter Matilda and her heirs for ever: and I desire that, when my debts have been discharged, and the liveries and wages of my retainers have been paid, the remainder of my effects may be distributed to the poor. On the seventh day of his illness he expired. His bowels were deposited in the church of St. Mary at Rouen, which had been founded by his mother: his body was conveyed to England, and interred in the abbey of Reading.[76] CHAP. III. Dec. 2.

A contemporary writer has left us the character of Henry as it was differently drawn by his friends and enemies after his death. By the former he was ranked among the wisest, richest, and bravest of our monarchs: the latter loaded his memory with the reproach of cruelty, avarice, and incontinence.[77] To an indifferent observer at the present day his reign will offer little worthy of praise, unless it be the severity with which he punished offences. This was a real benefit to his people, as it not only contributed His character. His administration of justice.

[76] Malm. 100. Orderic, 901. Epist. Pet. vener. ad Adelard. apud Bouquet, xv. 632.

[77] Hunt 221. Rex maximus cujus ad justitiam omnes fere principes invitantur exemplo, cujus in pauperes munificentiam, liberalitatem in omnes, cuncti reges mirari possunt potius quam velint aut valeant imitari. Bouquet, xiv. 248.

CHAP. III.

to extirpate the robbers by profession, but also checked the rapacity and violence of the barons. Still his merit will be very equivocal. As long as each conviction brought with it a fine or forfeiture to the royal exchequer, princes were stimulated to the execution of the laws by a sense of personal interest.[78] Henry, at the same time that he visited the injustice of others, scrupled not to commit injustice himself. Probably in both cases he had in view the same object, his own emolument.

Policy.

The great aim of his ambition was to aggrandize his family by augmenting his possessions on the continent. His success in this favourite project obtained for him the reputation of political wisdom: but it was purchased at the expense of enormous sums wrung from a suffering and impoverished people. If, however, the English thus paid for acquisitions in which they had little interest, they derived from them one advantage; the king's attention to foreign politics rendered him anxious to preserve peace with his more immediate neighbours. He lived on the most friendly terms with Alexander and David, successively kings of Scotland. The former had married his natural daughter Sybilla; both were the brothers of his wife Matilda. It was more difficult to repress the active and pre-

[78] The reader will hereafter see this fully exemplified in the commission given to the king's justiciaries.

datory disposition of the Welsh: but as often as he prepared to chastise their presumption, they pacified his resentment by submission and presents. As a check to this restless people he planted among them a powerful colony of foreigners. Many natives of Flanders had found settlements in England under the protection of his mother Matilda: and the number was now doubled by a crowd of emigrants, who had been driven from their homes by an inundation of the Rhine. Henry placed them at first on the right bank of the Tweed: but afterwards collecting the old and new comers into one body, allotted to them for their residence the town of Haverfordwest with the district of Ross in Pembrokeshire. They were a martial and industrious people: by attention to the cultivation of the soil and the manufacture of cloth, they grew in numbers and opulence: and under the protection of the English kings, to whom they always remained faithful, defeated every attempt of the Welsh princes to root them out of the country.[79]

1109.

[79] Malms. 68. 89. Gerv. 1349. Bromp. 1003. Giral. Itin. Camb. 348. Henry on two occasions had entered Wales with an army: on both his presence alone was sufficient to subdue all opposition (Chron. Sax. 217. 223. Sim. 245). He carried the exercise of his sovereignty further than any of his predecessors, naming to the Welsh bishoprics, and compelling the new prelates to receive consecration from the archbishops of Canterbury. The bishops of St. David's, who had long exercised metropolitical jurisdiction over the greater part of Wales, submitted with much reluctance. Sometimes, by appealing to the pope, they reclaimed their ancient rights, but were always defeated by the superior power of their adversaries.

CHAP. III.

Suspicions.

Henry was naturally suspicious; and this disposition had been greatly encouraged by his knowledge of the clandestine attempts of his enemies. On one occasion the keeper of his treasures was convicted of a design on his life: on another, while he was marching in the midst of his army towards Wales, an arrow from an unknown hand struck him on the breast, but was repelled by the temper of his cuirass.[80] Alarmed by these incidents, he always kept on his guard, frequently changed his apartments, and, when he retired to rest, ordered sentinels to be stationed at the door, and his sword and shield to be placed near his pillow.[81]

Revenge.

The suspicious are generally dissembling and revengeful. Henry seldom forgot an injury, though he would disguise his enmity under the mask of friendship. Fraud, and treachery, and violence, were employed to ensnare those who had greatly offended him; and their usual portion was death, or blindness, or perpetual

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The present bishop of St. David's, Dr. Burgess, appears to have mistaken the nature of this controversy. He complains that Henry subjected the Welsh church to the church of Rome: but in the pleadings the Welsh bishops complain that the king had subjected their church to the church of Canterbury, whereas it had never before been subject to any church but that of Rome. Usque ad Regem Henricum qui ecclesiam Walensicam ecclesiæ Anglicæ supposuit, totam metropoliticam dignitatem præter usum pallii ecclesia Menevensis obtinuit, nulli ecclesiæ prorsus nisi Romanæ tantum, et illi immediate, sicut nec Scotica, subjectionem debens. Giral. de jure Menev. eccl. 541.

[80] Malm. 89. 91. [81] Suger, vit. Lud. Gross. 112.

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imprisonment.[82] After his decease it was discovered that his cousin, the earl of Moretoil, whom he had long kept in confinement, had also been deprived of sight.[83] Luke de Barré, a poet, who had fought against him, was made prisoner at the close of the last war, and sentenced by the king to lose his eyes. Charles the good, earl of Flanders, was present, and remonstrated against so direful a punishment. It was not, he observed, the custom of civilized nations to inflict bodily punishment on knights who had drawn the sword in the service of their lord. "It is not," replied Henry, "the first "time that he has been in arms against me. But "what is worse, he has made me the subject of "satire, and in his poems has held me up to "the derision of my enemies. From his ex- "ample let other versifiers learn what they may "expect, if they offend the king of England." The cruel mandate was executed: and the troubadour, in a paroxysm of agony, bursting from the hands of the officers, dashed out his brains against the wall.[84]

Dissimulation.

His dissimulation was so well known that he was mistrusted even by his favourites. When Bloet, bishop of Lincoln, who had for many years been one of his principal justiciaries, was

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[82] Blandus odii dissimulator, sed pro tempore immodicus retributor. Malm. 88. Multos proditione cepit, multos dolose interfecit. Hunt. in Ang. Sac. ii. 699.

[83] Hunt. 221.

[84] Orderic, 880, 881.

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told that the king had spoken of him in terms of the highest commendation: "Then," he replied, "I am undone: for I never knew him praise a "man whom he did not intend to ruin." The event justified his apprehensions. In an unguarded moment the prelate had boasted that the monastery, which he was building at Eynsham, should equal that which Henry had founded at Reading. The words were carried to the king, and the fall of the favourite was consummated. He was immediately deprived of the office of justiciary: vexatious prosecutions were commenced against him: by fines and extortions all his wealth was drawn to the royal exchequer: and the bishop would probably have been compelled to resign his dignity, had he not died by a sudden stroke of apoplexy, as he was speaking to Henry.[85]

1123. Jan. 10.

Incontinence.

Malmsbury has allotted to the king the praise of temperance and continency.[86] Perhaps his claim to the first, certainly his claim to the second, of these virtues, rests on no other ground than the partiality of his panegyrist. If as many writers affirm, his death was occasioned by the excess with which he ate a dish of lampreys, we may fairly doubt of his temperance: nor can the continency of that man be much commended, who is known to have been attached to several mistresses, and of whose ille-

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[85] Hunt. Ang. Sac. 695. Pet. Bles. 127. [86] Malm. 91.

gitimate children no fewer than seven sons, and eight daughters lived to the age of puberty.[87] Of the sons, Robert of Caen, earl of Gloucester, was chiefly distinguished by his father. He will claim the attention of the reader in the following reign. CHAP. III.

The king's principal ministers were Roger, bishop of Salisbury, and Robert, earl of Mellent. Roger had constantly adhered to Henry in all the vicissitudes of fortune, which that prince experienced before his accession: it was natural that he should rise to eminence, when his patron became a rich and powerful monarch. His ministers.

By the chapter of Salisbury he was chosen for their bishop: by the king he was appointed grand justiciary of the kingdom. On the plea that the two offices were incompatible with each other, he declined the latter, till his scruples were removed by the joint authority of the pontiff and the metropolitan. To his episcopal duties he devoted the more early part of the day; the remainder was given to the affairs of state: and it is no weak argument of his merit, that though he was many years the minister of a rapacious monarch, he never incurred the hatred of the people. Whenever Henry left the kingdom, the bishop of Sarum was appointed regent; and in that capacity discharged the The bishop of Sarum.

[87] See their names in Speed (481), Duchesne (1072), and Sandford (Geneal. Hist. 30—33).

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duties of government for years together, to the satisfaction of his sovereign.[88]

The earl of Mellent.

While the internal administration was confided to this prelate, the department of foreign politics exercised the abilities of the earl of Mellent. He attended the king in all his expeditions into Normandy, and acquired the reputation of being the first statesman in Europe. Princes and pontiffs courted his friendship: Henry himself, though he perceived it not, was supposed to be governed by him: and his possessions in England, Normandy, and France, received daily augmentations from his violence and rapacity. Nor was his authority confined to the concerns of government: he had usurped the empire of taste; and every fashionable courtier imitated the dress and manners of the earl of Mellent. His last illness was induced or irritated by vexation of mind. He had resolved to augment his wealth by the marriage of an opulent heiress: his expectations were defeated by the superior address of a rival. On his death-bed he sent for the archbishop of Canterbury; but when that prelate exhorted him to prepare for a future life by repairing the injustices which he had committed in this, he hastily replied: "I will leave "to my children, whatever I have acquired. "Let them do justice to those whom I have in-

[88] Chron. Sax. 224, 5, 6. Malms. 91. Hunt. Ang. Sac. ii. 700.

"jured." It is superfluous to add, that justice was never done.[89] CHAP. III.

These two ministers, as well as every other officer trusted by the king, were foreigners. He felt no gratitude for the services, and held in no estimation the abilities, of his native subjects. If in the hour of danger he appealed to their fidelity, during the time of prosperity he treated them with the most marked contempt. They were carefully excluded from every office of power or emolument, whether in church or state. The most slender recommendation was sufficient to qualify a stranger, were he Italian, French, or Norman: no services, no talents could expiate in an Englishman the original sin of his nativity.[90] Henry's prejudices against the English.

Henry, if we consider the value of money at that period, was immensely rich. On occasions of ceremony, when he wore his crown, he imitated the parade of the eastern monarchs: and before him on a table were displayed the most precious of his treasures, particularly two golden vases of extraordinary dimensions, and elegantly enchased with jewels.[91] After his death, his successor found in the exchequer, besides the plate and gems collected by Henry and his two predecessors, one hundred thousand pounds of pennies, all of just weight, and of His riches

[89] Malms. 90. Hunt. Ang. Sac. ii. 698. [90] Si Anglus erat, nulla virtus ut honore aliquo dignus judicaretur, cum poterat adjuvare. Ead. 94. 110. [91] They afterwards fell into the hands of Theobald, earl of Blois. Bern. Bonæval. in Vit. S. Bern. 2011.

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and buildings.

pure silver.[92] So much wealth had enabled him to indulge his taste for architecture: and while the castles, which he raised on the borders of Wales, contributed to the protection of the country, by repairing or rebuilding most of the royal palaces, he provided for the comfort and splendour of himself and his successors. At Woodstock he enclosed a spacious park for deer, and added a menagerie for wild beasts, among which Malmsbury mentions lions, leopards, lynxes, camels, and, what appears to have chiefly attracted the notice of the historian, a porcupine.[93] But his religious foundations principally displayed his magnificence. These were three monasteries, two for regular canons at Chichester and Dunstaple: and one for monks of the order of Clugni, situated at Reading, near the conflux of the Thames and the Kennet, where the great roads of the kingdom intersected each other. The wealth with which Henry endowed this establishment did not seduce the monks from the rigid observance of their rule. It was their custom to offer hospitality to all who passed by their convent: and it was believed that in the entertainment of strangers they annually expended a much larger sum than was devoted to their own maintenance.[94]

Before I close the history of this prince, and

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[92] Malms. Novel. 101. [93] Malms. 91. Rad. Dic. 505.

[94] Malms. 92. Pet. Bles. 126. Joan. Hagul. 258. Chron. de Dunstap. 677.

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State of learning.

proceed to the turbulent reign of Stephen, it will be proper to notice the rapid improvement of the nation in literary pursuits under the conqueror and his sons. Lanfranc and Anselm, the two archbishops of Canterbury, had proved themselves worthy of their exalted station. The superior knowledge of the former was universally admitted: the attainments of his successor were of a still higher class. Both in their more early years had exercised the profession of teachers: and their precepts and examples had awakened the curiosity of the clergy, and kindled an ardour for learning which can hardly be paralleled in the present age. Nor did this enthusiasm perish with its authors: it was kept alive by the honours which were so prodigally lavished on all, who could boast of literary acquirements. The sciences, which formed the usual course of education, were divided into two classes, which still retain the appellations of a more barbarous age, the trivium, comprising grammar, logic, and rhetoric, and the quadrivium, or music, arithmetic, geometry, and astronomy. It was from the works of the Latin writers, which had survived the wreck of the empire, that students sought to acquire the principal portion of their knowledge: but in the science of medicine, and the more abstruse investigations of the mathematics, the ancients were believed inferior to the mohammedan teachers: and many an Englishman, during the

CHAP. III.

reign of Henry, wandered as far as the banks of the Ebro in Spain, that he might listen to the instructions, or translate the works, of the Arabian philosophers.[95]

The logic of the schools.

To the praise of the popes it must be said that, even in the middle ages, they were generally attentive to the interests of learning. The first schools had been established in monasteries and cathedrals by the zeal of their respective prelates: that they were perpetuated and improved, was owing to the regulations issued by different pontiffs. But now the ancient seminaries began to be neglected for others opened by men, who sought for weath and distinction by the public display of their abilities; and who established their schools wherever there was a prospect of attracting disciples. The new professors were soon animated with a spirit of competition, which while it sharpened their faculties, perverted the usefulness of their labours. There was no subject on which they would condescend to acknowledge their ignorance. Like their Arabian masters,[96] they discussed with equal

[95] See Pet. Clun. ep. in Bibliothecâ Cluniacensi, 1109. 1118, and Athelheardi quæstiones naturales perdificiles. MS. Galba. E. 4.

[96] Thus we learn from Athelheard, that if he had studied among the Moors the causes of earthquakes, eclipses, and tides, he had also been employed in investigating the reasons why plants cannot be produced in fire, why the nose is made to hang over the mouth, why horns are not generated on the human forehead, whether the stars are animals, whether in that hypothesis they have any appetite, with many other questions equally singular and important. See Athelheard's Quæstiones, ibid.

warmth matters above their comprehension, or beneath their notice. As their schools were open to every hearer, they had to support their peculiar opinions against all the subtlety and eloquence of their rivals: and on many occasions were compelled to argue in despite of common sense, rather than allow themselves to be vanquished. Hence the art of reasoning came to be valued as the first of intellectual acquirements. The student applied assiduously to the logic of Aristotle, and the subtleties of his Arabian commentators: words were substituted in the place of ideas: multiplied and unmeaning distinctions bewildered the understanding: and a system of scholastic disputation was introduced, which the celebrated abbot of Clairvaux sarcastically defined to be "the art of always "seeking, without ever finding, the truth."

Course of studies. 1110.

As the principal ecclesiastics in England were foreigners, they imported the foreign course of studies. Thus Joffrid abbot of Croyland, procured teachers from Orleans, where he had been educated, and established them at Cotenham, a manor belonging to his convent. His object was to open, with their assistance, a school in the neighbouring town of Cambridge. At first a large barn sufficed for their accommodation: in the second year their disciples were so numerous, that separate apartments were allotted to each master. Early in the morning the labours of the day were opened by brother Odo,

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who taught the children the rules of grammar according to Priscian: at six Terric read lectures on the logic of Aristotle: nine was the hour allotted to brother William, the expounder of the rhetorical works of Cicero and Quintilian: and before twelve master Gilbert explained to the theological students the difficult passages of the Holy Scriptures. This account, if it be genuine, discloses the real origin of the university of Cambridge.[97]

Gallo-Norman poets.

There were few among the scholars of Henry's reign who did not occasionally practise the art of composing in Latin verse. A few of them may certainly claim the praise of taste and elegance; but the majority seem to have aspired to no other excellence than that of adulterating the legitimate metre by the admixture of middle and final rhymes. Latin productions, however, were confined to the perusal and admiration of Latin scholars. The rich and the powerful, those who alone were able to reward the labours of the poet, were acquainted with no other language than their own, the Gallo-Norman, which since the conquest had been introduced into the court of the prince, and the hall of the baron,

[97] Pet. Bles. 114. From the mention of the Arabian Averroes, whose works were not then in existence, it has been suggested, that the whole passage is a forgery, designed to exalt the antiquity of Cambridge. I am, however, inclined to think that for such a purpose an earlier date would have been chosen; and that the name of Averroes may have originally been added in the margin, and thence have slipped into the text.

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and was learned and spoken by every candidate for office and power. To amuse and delight these men arose a new race of versifiers, who neglected Latin composition for vernacular poetry. In their origin they were fostered by the patronage of the two queens of Henry, Matilda and Alice. Malmsbury assures us that every poet hastened to the court of Matilda at Westminster, to read his verses to that princess, and to partake of her bounty: and the name of Alice is frequently mentioned with honour by the contemporary versifiers Gaimar, Beneoit, and Philippe de Thaun. The works of these writers are still extant in manuscript:[98] and shew that their authors knew little of the inspiration of poetry. The turgid metaphors, the abrupt transitions, and the rapid movements, so characteristic of the Anglo-Saxon muse, though conceived in bad taste, shewed at least indications of native genius: but the narratives of the Gallo-Norman poets are tame, prosaic, and interminable: and their authors seem to have known no beauty but the jingle of rhyme, and to have aimed at no excellence but that of spinning out their story to the greatest possible length. These poems, however, such as they were, delighted those for whom they were written, and, what was still better, brought wealth and popularity to their authors.

[98] Cotton Lib. Nero, A. 5. Bib. Reg. 13. A. 21. MSS. Harl. 4432.

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Origin of Romance.

During the reign of Henry, Geoffry of Monmouth published his history of Britain, which he embellished with numerous tales respecting Arthur and his knights, Merlin and his prophecies, borrowed from his songs and traditions of the ancient Britons. This extraordinary work was accompanied by another of a similar description, the history of Charlemagne and his twelve peers, supposed to be compiled by archbishop Turpin, from the songs of the French trouveres; and about the same time the adventures of Alexander the great, by the pretended Dares Phrygius, and Dictys Cretensis, were brought by some of the crusaders into Europe. These three works supplied an inexhaustible store of matter for writers in verse and prose; the gests of Alexander, and Arthur, and Charlemagne, were repeated and embellished in a thousand forms: spells and enchantments, giants, hypogriphs, and dragons, ladies confined in durance by the power of necromancy, and delivered from confinement by the courage of their knights, captivated the imagination of our ancestors; and a new species of writing was introduced, which retained its sway for centuries, and was known by the appellation of *Romance*, because it was originally written in the Gallic idiom, an idiom corrupted from the ancient language of *Rome*.[99]

[99] See the Archæologia, vol. xii. xiii.

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STEPHEN.

CONTEMPORARY PRINCES.

Emp. of Ger.	*K. of Scotland.*	*K. of France.*	*K. of Spain.*	*Popes.*
Lothaire II. 1138	David I. 1153	Louis VI. 1137	Alphonso VIII.	Innocent II. 1143
Conrad III. 1152	Malcolm IV.	Louis VII.		Celestin II. 1144
Frederic I.				Lucius II. 1145
				Eugenius III. 1153
				Anastasius IV.

ACCESSION OF STEPHEN—INVASION OF THE SCOTS—BATTLE OF THE STANDARD—MATILDA LANDS—STEPHEN IS MADE PRISONER—MATILDA BESIEGED—STEPHEN RELEASED—MATILDA LEAVES THE KINGDOM—PRINCE HENRY ASSERTS THE CLAIM OF HIS MOTHER—COMPROMISE BETWEEN HIM AND THE KING—DEATH OF STEPHEN—DISTRESS DURING HIS REIGN.

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Confusion after the death of Henry. 1135.

As long as the law of hereditary succession was not definitively settled, the decease of the sovereign in every feudal government was invariably followed by an interval of rapine and confusion. Till a new king had ascended the throne, and received the homage of his subjects, it was assumed that there could be no violation of "the king's peace:" and in con-

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sequence of this mischievous doctrine, the execution of justice was suspended, the artificial bonds of society were loosened, family feuds were revived, and the most lawless outrages were perpetrated in the face of day, and without the apprehension of punishment. As soon as the death of Henry was known, both England and Normandy exhibited the usual features of disorder and licentiousness: but in England the violence of the people took a new course, and directed all its efforts to the destruction of the royal forests. Henry's passion for the chase had led him to the exercise of the most vexatious tyranny. As if the enjoyment of others must diminish his own, he had forbidden his barons to hunt even on their own estates without his special permission. He had ordered his officers to claim the waste lands belonging to individuals as the property of the crown: and if these on some occasions were returned to their owners on the payment of a fine, they had been on many others definitively adjudged to the sovereign. He had augmented and multiplied the forests, and by the most cruel punishments protected them from the encroachments of men or hounds.[1] The whole country, says a contemporary historian, was covered with beasts of chase, which now disappeared as it were by miracle. While Henry lived, you

[1] Hunt 221. Brompt. 1024. Orderic, 823.

might have seen them wandering in herds of a thousand together: within a few days after his death you could not discover two head of deer in a whole forest.[2] CHAP. IV.

The king had cheered his last moments with the hope that by his care the crown had been secured to Matilda: it was seized by his nephew Stephen, whom he had cherished with the affection of a father, and had destined to be the future support of her throne. Stephen was the third of the four sons, that Adela, Henry's sister, had borne to her husband, the earl of Blois. William, the eldest, was content with the patrimony of his wife, the heiress of Solieu: Theobald, the second, had succeeded to the dominions of his father; and Henry, the youngest, from a convent of Cluniac monks had been called to govern the abbey of Glastonbury, and from Glastonbury had been promoted to the bishopric of Winchester. Stephen alone had attached himself to the fortunes of his uncle. From him he had received with the honour of knighthood several valuable estates in England; had earned by his valour in the field of Tenchebrai the Norman earldom of Moretoil; and afterwards, by his marriage with Matilda, the daughter of the earl of Boulogne, had suc- Pretensions of Stephen, earl of Boulogne.

[2] Gesta Steph. 927.

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ceeded to the territories of his father-in-law.[3] At each step his ambition had expanded: and on the death of Henry it urged him to become a candidate for the throne. He could not indeed claim it as the next in descent: but that was a trifling objection, which might equally have been urged against the four preceding monarchs. He was sprung from the conqueror; was popular in England; might depend on the assistance of his brother Henry; and, what was of still greater importance, could be present on the spot, while his competitor would probably be detained on the continent.

His arrival and coronation. 1135.

With these views and expectations Stephen sailed from Witsand, and landed on the coast of Kent. He was excluded from Dover and Canterbury by the inhabitants, who knew or suspected the real object of his journey:[4] but he

[3] Orderic, 810.

Stephen, earl of Blois. = Adela, daughter to William I.

- William. Ob. S. P.
- Theobald, earl of Blois.
- Henry, bishop of Winchester.
- STEPHEN = Matilda, heiress of the earl of Boulogne.
  - Baldwin, Ob. S. P.
  - Eustace, earl of Boulogne, Ob. S. P.
  - William, earl of Boulogne, Ob. S. P.
  - Matilda, and Maria.

Matilda, the wife of Stephen, was daughter to Maria, the sister of Henry's queen Matilda.

[4] Gervase, 1340.

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was received with welcome by the citizens of London, who immediately proclaimed him king, and by those of Winchester, whom his brother had secured to his interest. At Winchester he was joined by the archbishop of Canterbury, by Roger, the powerful bishop of Sarum, and by William de Pont d'Arche, who placed in his hands the keys of the castle, with those of the royal treasures. It was determined to proceed immediately to his coronation. He had, indeed, himself, as well as all his adherents, sworn allegiance to the empress Matilda: but this difficulty was solved by the convenient doctrine, that no oath is binding, which is extorted by force: and if any scruple remained (for the primate affected to feel some scruple) it was removed by the declaration of Hugh Bigod, the steward of the household, who boldly swore that Henry on his death-bed had disinherited his daughter, and had left his crown to Stephen. Though neither prelates nor barons had yet arrived or signified their acquiescence, the ceremony of his coronation was performed: and the new king promised upon oath not to retain the vacant prelacies for his own profit, not to molest laymen or clerks in the possession of their woods and forests, nor to levy the danegelt though it had been repeatedly exacted by his late uncle.[5]

Dec. 22.

[5] Malm. 101. Gesta Step. 928, 929. Orderic, 902. Hunt. 221.

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His character and success.

The character of Stephen at this period has been drawn by his adversaries as well as his partisans: and if there be some difference in the colouring, the outlines of the two pictures are perfectly similar. It is admitted that he was prompt in decision and bold in action; that his friends applauded his generosity, and his enemies admired his forbearance: that he won the high by courtesy, the low by condescension, all by an air of affability and benevolence.[6] He had long been the most popular nobleman in England; and men were inclined to favour the pretensions of one whom they loved. The royal treasures, which he distributed with profusion, while they confirmed the fidelity of his adherents, brought to his standard crowds of adventurers, who intimidated his enemies. Nor should it be forgotten, that there was a kind of spell in the very name of king, which he now bore; and that his claim was sanctified in the eyes of many by the imposing ceremony of his coronation. His court was soon attended by the neighbouring barons; the more distant hastened to do him homage: even Robert, earl of Glocester, the brother and counsellor of Matilda, consented to swear fealty to him. The last who acknowledged him, were the new families, that had been raised to opulence by the policy of Henry. Whether it were through

[6] Gest. Step. 928. Malms. 101.

affection to the memory of their benefactor, or through fear of the jealousy of their rivals, they demurred for a while; but at length allured by the promises, and awed by the threats, of the new king, they joined the torrent, and the succession of Stephen was admitted by the whole nation.[7] CHAP. IV.

In the month of January the corpse of the late king arrived at the abbey of Reading. Stephen, to demonstrate his respect for his uncle, proceeded to meet it with all his attendants, and placed his shoulders under the bier.[8] When the ceremony of the interment was concluded, he rode to Oxford, and in a numerous assembly of prelates and barons, renewed the promises which he had made at his coronation before a few of his friends. He swore not to retain in his hands the vacant bishoprics and abbeys; to restore to the clergy and laity their respective forests; to grant to every individual the liberty of hunting on his own lands; to remit the annual tax of two shillings per hide, frequently mentioned under the name of danegelt; to restore the ancient laws, and enforce the ancient mulcts in pleas and trials; and to give permission to his barons to build such castles on their estates as were necessary for their own security.[9] In a subsequent assembly he produced a letter from the pope, Innocent II. His concessions. 1136.

[7] Malms. 101. Gesta Steph. 929.
[8] Gervase, 1340.
[9] Hunt. 221. Bromp. 1024. Malm. 101.

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confirming his succession to the crown:[10] and granted additional liberties to the church. The prelates in return renewed their oath of allegiance, but with a conditional clause which had previously been adopted by some of the lay barons, that they would be faithful to him, as long as he faithfully observed his engagements.[11]

Matilda invades Normandy.

It is now time to direct the reader's attention to the daughter of Henry. Unsuspicious of the designs of her cousin, she entered Normandy in the first week of December, and was admitted into Damfront and the neighbouring towns. Her husband followed with a numerous body of Angevins: but their excesses, which he would not or could not restrain, revived the animosity that had formerly divided the two nations; and before the end of the month he was driven back with disgrace into his own territories. The

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[10] Joan. Hagul. 259. The instrument itself has been preserved by Richard of Hexham. It states that letters had been sent to the pontiff by the bishops, the king of France, and Theobald of Blois, informing him that to put an end to the disturbances caused by the death of Henry, Stephen had been chosen king by the common wish and unanimous assent of the barons and people. No mention is made of Matilda, or the oaths that had been taken to her: nor do the words imply any assumption of temporal superiority on the part of Innocent. Quod de te factum est gratum habentes, te in specialem beati Petri et sanctæ Romanæ ecclesiæ filium affectione paterna recipimus, et in eadem honoris et familiaritatis prerogativa, qua prædecessor tuus a nobis coronabatur, te propensius volumus retinere. Ric. Hagul. 314.

[11] Ibid. Malms. 101. I am not sure that there was any thing very extraordinary in this conditional allegiance. Such clauses were usual at least among the Anglo-Saxons. Leg. Sax. 401.

CHAP. IV.

Norman barons assembled and prepared to offer the dutchy to Theobald: but a message from Stephen induced them to alter their resolution, and to preserve on its former footing the connexion between the two countries.[12]

King of Scots invades England.

In Britain, the first who drew the sword in the cause of Matilda was David, king of Scotland. He had sworn to support her succession: and at the commencement of the year he crossed the borders, reduced Carlisle, Norham, Alnwick, and Newcastle, and compelled the inhabitants to take an oath of fealty to the daughter of Henry. He had reached the walls of Durham, when he was opposed by Stephen at the head of a numerous army. The risk of an engagement induced him to pause: if he was the uncle of the empress, so was he likewise of the consort of her antagonist: a peace was speedily concluded: and to cement the friendship of the two kings, Henry, prince of Scotland, did homage to Stephen, and received from him the towns of Carlisle, Doncaster, and Huntingdon.[13]

Feb.

The Welsh rebel.

While the king was detained in the north, every cantred in Wales had risen in arms. It probably was indifferent to their chieftains,

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[12] Orderic, 902, 903. [12] Joan. Hagul. 258. Ric. Hagul. 312. David claimed Cumberland, as having formerly belonged to the heir apparent of the Scottish kings, and Northumberland and Huntingdon, as having been held by Waltheof, whose daughter he had married. Stephen refused Northumberland for the present, but gave Doncaster as a substitute.

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whether the sceptre were swayed by Matilda, or Stephen: but they eagerly seized the opportunity to punish their ancient foes; and after they had satiated themselves with plunder and carnage, retired to their mountains, where they were suffered to remain unmolested, while the king's attention was engaged by more formidable enemies.[14]

State of Normandy.

Normandy for many years presented a most lamentable spectacle, torn by intestine divisions, and alternately ravaged by opposite parties. Both the Angevins, who supported the interest of Matilda, and the mercenaries who, under William of Ipres, fought in the cause of Stephen, were equally objects of hatred to the natives. As often as Geoffry passed the frontiers, the aversion of the Normans opposed an insuperable obstacle to his progress: as often as William undertook an expedition, his efforts were paralyzed by the secret, or opposed by the avowed hostility of his own party. Stephen had indeed this advantage over his rival, that he had received the investiture of the dutchy from Louis, to whom, after the precedent set in the last reign, his son Eustace had done homage in the place of the king himself. Still his real authority was limited to the few towns garrisoned by his troops. The great barons, retired within their castles, maintained an air of independence:

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[14] Gest. Step. 930.

and by occasionally waging war on one another, and supporting, as interest, or caprice, or resentment induced them, sometimes the cause of Stephen, sometimes that of Matilda, contributed to prolong the miseries of their suffering country. CHAP. IV.

In England a similar spirit of outrage and insubordination had been lately created. During the preceding reigns few of the nobility had been permitted to fortify their castles. It was a privilege granted with a sparing hand, and confined to the royal favourites. But since the accession of Stephen every petty chieftain erected his fortress, assembled a body of military retainers, and, confident in his own strength, provoked the hostility of his neighbours, or defied the execution of the laws. To repress these local tyrants was a task of some difficulty and perpetual recurrence. It was necessary to levy armies, to surround each fortress, and to conduct the siege according to all the forms of war. The reduction of the castle of Exeter, belonging to Baldwin de Redvers, occupied the king three months, and cost him no less than fifteen thousand marks.[15] Whether it was from policy or disposition, Stephen in general treated the vanquished with lenity: but his indulgence appeared to multiply the number of offenders, and to encourage their obstinacy, till, in a mo- Of England.

[15] Gesta Steph. 935.

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ment of resentment, he ordered Arnulf of Hesdin, and his ninety-three associates to be hanged.[16] By our ancient chroniclers the particulars of these petty wars are narrated at considerable length: the reader of the present day will notice with greater interest two occurrences, which were more important in their consequences, and are highly characteristic of the manners of the age.

Scottish invasions. 1138.

I. The battle "of the standard" was long a subject of exultation to the inhabitants of the northern counties. The king of Scots had resumed hostilities, urged, it is said, either by letters from Matilda, who reminded him of his former engagements in her favour, or by resentment at the conduct of Stephen, who had promised and then refused him the earldom of Northumberland. Within the first six months of the year 1138 he twice crossed the borders, and as often retired at the real or the rumoured approach of the king of England. In August he advanced a third time, and penetrated into Yorkshire. In all these expeditions the Scots conducted the war with the ferocity of savages; and the northern writers lament with tears of grief and resentment, the profanation of the churches, the conflagration of the villages and monasteries, and the promiscuous slaughter of the children, the aged, and the defenceless. It

[16] Orderic, 917.

is said that only a few females distinguished by their birth or beauty, were spared by the caprice of the barbarians: and these, stripped of their clothes, tied to each other with thongs, and driven at the point of the spear, were conducted into Scotland; where, after suffering every kind of indignity, they were retained as slaves to their captors, or bartered by them for cattle to the neighbouring chieftains.[17] In the common despair, Thurstan, the old archbishop of York, displayed in a decrepit frame the energy of a youthful warrior. He assembled the northern barons, exhorted them to fight for their families, their country, and their God: assured them of victory, and promised heaven to those who might fall in so sacred a cause. At the appointed time they repaired to York with their vassals, and were met by the curates with the bravest of their parishioners: three days were spent in fasting and devotion: on the fourth Thurstan bade them swear never to desert each other, and dismissed them with his blessing. Two miles beyond Northallerton they received advice of the approach of the Scots; and the standard which gave name to the battle, was hastily erected, the mast of a vessel strongly fastened into the frame-work of a carriage. In

[17] On this occasion the palm of barbarity was given to the Picts, the men of Galloway. Picti, qui vulgo Galleweienses vocantur. Ric. Hagul. 316.

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the centre of the cross which rose on its summit, was fixed a box of silver, containing the sacrament; and below waved the banners of the three patron saints, Peter, Wilfrid, and John of Beverley. From its foot Walter Espec an experienced warrior, harangued his associates; and at the conclusion of his speech, giving his hand to William of Albemarle, exclaimed in a loud voice, "I pledge thee my "troth, either to conquer or die." His words kindled a similar enthusiasm among his hearers, and the oath was repeated by every chieftain with confidence of success. But the Scots now approached: the signal was given: the English knelt on the ground: and the bishop of the Orkneys, the representative of Thurstan, read the prayer of absolution from the carriage. With a loud shout they answered "amen:" and rose to receive the shock of the enemy.

Battle of the standard. Aug. 22.

In the Scottish army the honour of commencing the action was disputed by the natives of Galloway, the descendants of the ancient Picts, and the men at arms, most of whom were English or Norman exiles. The king was inclined to pronounce in favour of the latter, when Malise, earl of Strathern, exclaimed: "Why should we "trust so much to these Frenchmen? I wear no "armour: but there is not one among them "that will keep pace with me to-day." "You "boast, earl," replied Alan de Percy, "of "what for your life you cannot perform."

David, however, to content his subjects, allotted to the men of Galloway the place of honour. The second division was composed of the archers, and natives of Tiviotdale and Cumberland, under the command of prince Henry, who had for his guard a detachment of men at arms led by Eustace Fitz-John. The natives of Lothian and the isles formed the third line: behind which was David himself, with a guard of knights, the Scots, and the men of Moray, as a body of reserve. In this disposition, favoured by a mist, they had advanced towards the English: who would have been surprised before they could have marshalled their forces, had it not been for the address of Robert de Bruce and Bernard de Baliol, two barons who held lands both in England and Scotland. These repaired to David, exhorted him to peace, and offered the county of Northumberland as the price of his retreat. He refused the proposal, and they, renouncing him for their lord, bade him defiance.

In their return, they were closely followed by the Scots, who, raising three shouts, after the manner of their nation, rushed on the English. The first ranks, unable to bear the pressure, retired slowly towards the standard: the two flanks were surrounded and disordered by the multitude of the enemy: but the centre formed an impenetrable phalanx, which no shock could dissolve. It was in vain that the assailants

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sought with their swords to break through this forest of spears. Their courage only exposed them to the deadly aim of the archers: and at the end of two hours, disheartened by their loss, they wavered, broke, and fled. The king alone, surrounded by his guards, opposed, as he retired, the pursuit of his foes: the rest dispersed themselves in every direction.[18] Prince Henry, who had penetrated to the rear of the hostile army, observing that the dragon, David's banner, was leaving the field, threw away the ensigns of his dignity, and joined, as an English knight, in the pursuit, till he found an opportunity of concealing himself in the woods. On the third day after his father, he reached Carlisle, where David was employed in collecting the relics of his army. Of seven-and-twenty thousand men, nearly one half had perished in the battle and flight.[19]

Peace. 1139.

David was still able to continue the war, and sent a body of forces to besiege the castle of Wark, in Northumberland. At Carlisle he was visited by the cardinal Alberic, who had landed

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[18] Serlo describes the flight of the men of Galloway in the following elegant lines:

Truces quoque Gawedenses tremebundi fugiunt,
Et quas prius extulerunt, caudis nates comprimunt.
Serlo, p. 331.

[19] Compare Richard of Hexham (De Gest. Steph. 315) with Ailred of Rieval (De bello Standardii, 338). Serlo (p. 331) says, that from the number of sacks filled with plunder, which the Scots threw away in their flight, the place acquired the name of Bagmoor.

in England as papal legate. This virtuous monk had passed through the tract which had been the theatre of Scottish depredation; and was so affected with the horrors he had witnessed, that on his knees he conjured the king to consent to a peace. David was inexorable: but out of respect to the petitioner, he granted a truce for two months, promised that all the females who had been consigned to slavery in Scotland, should be conducted to Carlisle, and liberated on the feast of St. Martin; and gave his word that in future wars, the churches should be respected, and protection should be extended to the weak and unresisting. Peace, however, was concluded in the beginning of the following year. Prince Henry obtained the earldom of Northumberland, with the exception of Newcastle and Bamborough: and five noblemen, the sons of earls, were delivered to Stephen as hostages for the pacific conduct of the Scottish monarch.[20]

Imprisonment of three bishops.

II. While the northern counties thus suffered the horrors of barbarian warfare, Stephen had been detained in the south to repress the disaffection of his barons. From the laity he directed his arms against the clergy. Roger, bishop of Sarum, though no longer the first minister of the crown, was still possessed of considerable influence in the nation. His castles were strongly fortified, and plentifully provided with

[20] Ric. Hagul. 330.

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warlike stores: a numerous retinue of knights accompanied him wherever he appeared: and his two nephews, Alexander, bishop of Lincoln, and Nigel, bishop of Ely, imitated the secular pomp, and military parade, of their uncle. In appearance nothing could exceed the obsequiousness of the three prelates to the king: but he suspected that under this mask they concealed a secret attachment to his rival Matilda. His favourites, the enemies of Roger, watched and nourished his jealousy: they observed that his mind was irritated by the repeated rumours of an approaching invasion; and they convinced him that the ruin of the bishop of Sarum was

June 24. necessary for his own security. An assembly of prelates and barons was held at Oxford in the month of June; and, in consequence of a preconcerted plan, a quarrel was excited between the retainers of Roger and the servants of two foreign noblemen, Alan of Bretagne, and Her-

June 27. vey of Leon. The next day the bishops of Sarum and Lincoln were arrested, the former in Stephen's chamber, the latter in his own lodgings. They were confined in separate dungeons, accused of violating the king's peace in his own court, and informed that he would accept of no other reparation than the surrender of their castles. By the advice of their friends they gave up Newark, Salisbury, Sherburn, and Malmsbury. Devizes remained in the possession of the bishop of Ely, who, when his uncle

was arrested, had escaped from his pursuers, and confident in the strength of the fortress, defied the power of his sovereign. On the third day Roger was conducted before the gate, pale and emaciated. He conjured his nephew to save his life by submission; for the king had sworn that the bishop should receive no nourishment, until the castle should be delivered into his hands. Nigel reluctantly acquiesced; and Stephen took possession of Devizes.

Discontent of the clergy.

By the clergy the intelligence of this outrage was received with surprise and consternation. To them Stephen had been indebted for his succession to the throne: they still contributed to support him on it. Yet now he had shewn himself the enemy of their order: he had illegally usurped the property of the church: he had impiously laid violent hands on prelates, whose persons had hitherto been deemed sacred. His brother Henry, whom Innocent II. had lately invested with the authority of papal legate, whether it was that he thought it his duty to uphold the privileges of the clergy, or that he foresaw the evils which would result from the disaffection of so powerful a body, repeatedly conjured the king both in public and in private to offer satisfaction to the injured prelates. Stephen was inexorable: and the legate summoned him to justify his conduct in a synod of bishops.

In the assembly Alberic de Vere, as counsel

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Synod of Winchester. Aug. 29.

for the king, upbraided Roger and his nephews with their attachment to Matilda, charged them with having excited the riot at Oxford, and maintained that they had spontaneously surrendered their castles as a compromise for that offence. The legate answered, that the three bishops were willing to abide their trial, but previously demanded the restitution of their property. Nor could the demand be fairly refused. It was the uniform practice in every court of justice, when an individual had been deprived of his property by open violence, to order its restoration before he could be called upon to plead. This observation seems to have disconcerted Alberic, who demanded time to prepare his answer.

The next morning he came, accompanied by the archbishop of Rouen. That prelate said that he did not dispute the law as it had been laid down by the legate; but he contended that it did not apply to the present case. Bishops were obliged to live according to the canons, which forbade them every kind of military pursuit; whence it followed that the three prelates could not claim the restitution of fortresses, which it was unlawful for them to hold. If they formerly possessed them, it was by the king's indulgence; an indulgence which he might reasonably recall, whenever he conceived his crown to be in danger. Alberic then appealed in Stephen's name to the pope, and

forbade the council under pain of the royal displeasure to proceed any further. At these words the knights who had followed him drew their swords, and the legate dissolved the assembly. He made, however, a last attempt; and accompanied by Theobald, the new archbishop of Canterbury, threw himself at the feet of his brother. Stephen remained inflexible; but had soon reason to repent of his obstinacy.[21]

Landing of Matilda. Sep. 30.

On the first of September the synod was dissolved: on the last day of the same month Matilda landed on the coast of Suffolk. With the small force of one hundred and forty knights she undertook to conquer the throne of her father: but the temerity of the attempt was justified by the promises of her partisans, and the dispute between Stephen and the clergy. Her brother Robert, the soul of the enterprise, with twelve companions left her to join his friends in the west, and by unfrequented roads eluded the pursuit and vigilance of his enemies; Matilda herself, at the invitation of the queen dowager Alice, retired within the strong castle

[21] See the history of this transaction, related with some discrepancy as to minor circumstances, by Malmsbury, who attended at the council (Novel. 102—104), and two other contemporaries, Ord. (p. 919), and the author of the Gesta Stephani (944, 945). Roger died on the 11th of December of a broken heart. To save the remainder of his treasures from the royal rapacity, he gave them to his church, and placed them on the altar. They were carried off by the orders of Stephen, even before the death of the bishop. Malm. 104.

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of Arundel. Stephen soon appeared at the foot of the walls: the princesses were alarmed: the queen pleaded in excuse the duty of hospitality: the empress solicited the permission to follow her brother: and such was the weakness or infatuation of the king, that to the astonishment of both friends and foes, he accepted the apology of the one, and granted the request of the other. If we may believe Malmsbury, this measure, so prejudicial to the royal interests, was nothing more than an act of courtesy, which no knight could refuse to his enemy.[22] If we listen to the panegyrist of Stephen, it was the result of a false policy, which taught that the war would be easily suppressed, if it were confined to one corner of the island. He even hints that it was owing to the perfidious councils of the bishop of Winchester.[23] It is certain indeed that Henry of late had reason to be dissatisfied with his brother: it was rumoured that instead of intercepting the earl Robert in his flight, he had even sought a private interview with that nobleman, and had bound himself to the interests of Matilda. To his care the empress was intrusted during her journey from Arundel to Bristol, the head quarters of her brother.

Civil war.

England was now exposed to all the horrors of civil war. The garrisons of the royal fortresses supported the cause of Stephen: the

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[22] Malm. 104.

[23] Gesta Steph. 947.

standard of Matilda was unfurled at Glocester and Bristol, Canterbury and Dover, places which Robert held from the gift of his father the late monarch. Each competitor had numerous partisans; but the majority of the barons, shut up in their castles, either affected to observe a strict neutrality, or under the mask of a pretended submission, maintained a real independence.[24] The execution of justice was suspended: the defenceless were alternately plundered by the adverse parties: rival chief-

[24] As sieges form the principal feature in the military transactions of this period, it may not be amiss to add a description of one of the ancient castles. The *keep*, the lord's residence, was surrounded, at a convenient distance, by a wall about twelve feet high, surmounted by a parapet, and flanked with towers. Without the wall was excavated a deep moat, over which a draw-bridge was thrown, protected by a tower, called the barbican, on the external margin of the moat. This formed the outward defence of the place. The *keep* was a strong square building with walls about ten feet thick, and five stories in height. Of these the lowermost consisted of dungeons for the confinement of captives: the second contained the lord's stores: the next served for the accommodation of the garrison: in the fourth were the state rooms of the baron; and the uppermost was divided into sleeping apartments for his family. The only portal or entrance was fixed in the second or third story, and generally led through a small tower into the body of the *keep*. The ascent was by a flight of steps fixed in the wall, and carefully fortified to prevent the entrance of an enemy. About the middle stood a strong gate, which it was necessary to force open: on the landing place was a draw-bridge: and then came the door itself, protected by a *herse*, or portcullis, which ran in a groove, and was studded with spikes of iron. It is not surprising that fortresses of this description should have often withstood the efforts of the most powerful monarchs before the invention of cannon. See Du Cange in voce, King, Archaeol. vol. iv. Grose, pref. 5—8.

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tains made war on one another: and no man was secure unless he possessed the means to repel the open, and the vigilance to defeat the secret, attacks of his enemies. At length in an evil hour Stephen was persuaded to besiege the castle of Lincoln, which had been surprised by Ranulf, earl of Chester, a nobleman who had offered his services to both the king and the empress, and who had been equally mistrusted by both. Confiding his wife and family to the faith of the garrison, Ranulf escaped through the besieging army, and flew to implore the assistance of the earl of Glocester. With ten thousand men Robert hastened to surprise the king: but, when he had swum across the Trent, found the royal army drawn up to receive him.

Battle of Lincoln. 1141. Feb. 2.

Stephen, with the most trusty of his adherents, had dismounted, and placed himself at the foot of his standard: each flank was protected by a small squadron of horse, under the command of noblemen of suspicious fidelity. At the first shock the cavalry fled: the mass of infantry, animated by the presence of the king, firmly withstood the efforts of the multitude by which it was surrounded. Stephen fought with the energy of despair: his battle-axe was broken: his sword was shivered: a stone brought him to the ground: and William de Kains seizing him by the helmet, claimed him as his prisoner. Still he struggled with his opponents, and refused to surrender to any man but his cousin

of Glocester. The earl took possession of the captive, and presented him to Matilda. The conduct of that princess does little honour to her humanity. Stephen was loaded with chains, and confined in the castle of Bristol: though to justify such rigour, it was pretended that he had drawn it on himself by his repeated attempts to escape.[25]

Captivity of the king.

This unexpected blow had broken the hopes of the royalists. The wavering or suspected were now eager to bend the knee to the empress: and the captives gladly surrendered their castles as the price of their freedom. Matilda alone, the queen of Stephen, affected a shew of resistance in the county of Kent, not with the vain hope of recovering her husband's crown, but to obtain time to negotiate for his liberty. Her feeble efforts were despised by the victors: but they beheld with anxiety the dignified reserve of the bishop of Winchester,

The legate joins Matilda.

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[25] Malm. 106. Hunt. 224. Gesta Steph. 952. Orderic, 922. It is with regret that I here take leave of Orderic, whose age and infirmities induced him to lay down the pen soon after the battle of Lincoln. He was an Englishman, a native of Shropshire. In his sixth year he was sent to the school of the priest Siward in Shrewsbury: in his eleventh he was intrusted to the care of the abbot of St. Evreux in Normandy, who changed his English name into that of Vitalis. In this monastery he spent, as he informs us, fifty-six happy years, respected by his brethren, and employed in literary composition. This brief account is extracted from the edifying address to the Deity, with which he concludes his history: an address, which no man can read without learning to venerate the character of this pious and laborious monk. See his history, p. 924.

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who from his birth, his riches, and his legatine authority, might prove a most formidable adversary. To allure him to the party of the empress became the first object of her politics: and after several messages he consented to meet her on the open downs in the neighbourhood of Winchester. It was the second of March, a day, says the historian, dark and stormy, as if the elements portended the calamities that ensued. Matilda swore, and her brother and barons pledged their word for the performance of her oath, that if the bishop and the church would acknowledge her for "England's lady," she would allot to him the first place in her councils, and intrust to his discretion the disposal of vacant abbacies, and bishoprics. In return he also swore, that he would bear true allegiance to her as his sovereign, as long as she should fulfil her engagements to him as her vassal. The next day, accompanied by several bishops, and by the monks, clergy, and citizens of Winchester, he conducted her in procession to the cathedral, and mounting the steps of the altar, solemnly blessed all who should bless and obey her, and cursed all who should curse and resist her. His example was in a few days imitated by the archbishop of Canterbury and other prelates, but not till they had obtained from the captive king a release from their former allegiance.[26]

Mar. 2.

[26] Malm. 105. Gervase, 1354.

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In the treaty between Matilda and Henry, it had been stipulated that the church should ratify her accession to the sovereign authority. A synod was accordingly convened in the beginning of April, and the members were divided into three classes, the bishops, the abbots, and the archdeacons, with each of whom the legate conferred separately and in private. The next day he publicly addressed them in a speech of considerable ability. He contrasted the turbulent reign of Stephen with the tranquillity which England had enjoyed under the government of Henry. Had that prince left a male heir, they might still have been happy: but fortune deprived him of his son, and they swore fealty to his daughter as to their future sovereign. She chanced to be absent at the time of his death: England was instantly thrown into confusion: and the necessity of providing for the public peace had compelled them to place the crown on the temples of Stephen. But that unfortunate monarch (it was with shame and regret that he spoke harshly of his own brother) had disappointed all their hopes, had violated all his promises, had neglected the execution of the laws, had invaded the property and infringed the liberties of the church; and by his indolence and violence had proved himself unworthy of his station. God had at length pronounced judgment against him by throwing him into the

She is acknowledged by the clergy. April 7.

April 8.

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hands of his enemies,[27] and it again became necessary to provide for the tranquillity of the kingdom by appointing some one to exercise the sovereign authority. In the name therefore of the clergy, whose right it principally was to elect and ordain kings, and in consequence of the will of the majority expressed in their preceding deliberations, he declared that they had chosen Matilda, the daughter of Henry, to be sovereign lady of England and Normandy. Some listened to this speech in silence: the rest approved it by repeated acclamations.[28]

Apr. 9. An adjourned session was held on the following morning to accommodate the deputies of the city of London, who had arrived too late to assist at the preceding deliberations. When the result was announced to them, they replied that

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[27] From the doctrine of a superintending providence the piety of our ancestors had drawn a rash but very convenient inference, that success is an indication of the divine will, and that of course to resist a victorious competitor, is to resist the judgment of heaven. Thus when the ambition of Stephen grasped the sceptre which had been secured to Matilda, we were told that it was providence which placed it in his hands (Ric. Hagul. 313): and now that he is become the captive of the same princess, it is the same providence which pronounces him unworthy of it (Malm. 105). Many instances of the like nature will occur to the reader who is familiar with the writers of the middle ages.—It was proper to mention this doctrine, as it serves to explain the facility with which men accommodated themselves to every revolution, whether the cause were good or bad.

[28] See the speech in Malmsbury, who was present, and professes to repeat the very words of the legate. Malm. 105.

they had no powers to assent to the election of a new sovereign, but were confined by their instructions to solicit the liberation of Stephen. They were followed by Christian, chaplain to the queen of that monarch, who in defiance of the legate, read to the assembly a letter from his mistress calling on the clergy to unite their efforts in favour of a prince to whom they had sworn allegiance, and who was detained in captivity by his perfidious vassals. In return Henry, with great moderation, urged the arguments which he had employed on the preceding day: and the Londoners, after consulting apart, signified their approval of his reasoning, and promised to recommend it to the consideration of their fellow-citizens.[29]

Her misconduct.

By this declaration of the clergy Matilda flattered herself that she had secured the object of her ambition: her hopes were defeated by the impolicy of her own conduct. Naturally haughty and vindictive, she indulged these passions in the insolence of success, which she had carefully repressed as long as she was awed by the prospect of resistance. She had been admitted into London, and had issued orders for her coronation: but in the interval the af-

[29] Malm. 109. From this writer we learn that the citizens of London formed a body of considerable importance in the state. They were considered as barons. Qui sunt quasi optimates pro magnitudine civitatis. Ibid. They also admitted barons into their body. In communionem Lundoniarum recepti. Ibid.

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fections of her friends were alienated by her arrogance, and the aversion of her enemies was inflamed by fines and prosecutions. To the solicitations of Stephen's queen for the release of her husband, she replied in terms of personal insult: and when the legate requested, that on the solemn resignation of the crown by his brother, the earldoms of Boulogne and Moretoil should be conferred on his nephew Eustace, he received a most contemptuous denial. Neither did she attempt to conciliate the wavering minds of the Londoners. She imposed on them a heavy tax, as a punishment for their former attachment to Stephen, and scornfully refused their petition for the restoration of the privileges which they had enjoyed under Edward the confessor. The queen of the captive monarch resolved to avail herself of the imprudence of her rival. A body of horse under her banner appeared on the south side of the city: instantly the bells sounded the alarm: the populace ran to arms; and the empress would have been a prisoner had she not sprung from table, mounted her horse, and saved herself by a precipitate flight. Her most faithful friends accompanied her to Oxford: the rest dispersed to their respective castles.[30]

She is driven from London.

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[30] Contin. Flor. 677. Gesta Steph. 954. Malm. 106. From these writers it appears that the most powerful prelates and barons were accustomed to bend the knee, when they solicited any favour from their sovereign.

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Besieges Winchester.

In this reverse of fortune, Matilda began to suspect the sincerity of the legate; and her suspicions were confirmed by the intelligence of a secret interview between him and his sister-in-law in the town of Guilford. She sent him a peremptory order to attend her court. He returned the ambiguous answer that "he "was getting himself ready." She resolved to surprise him at Winchester. As she entered by one gate, he departed by another. Defeated in these attempts, she summoned to her aid her brother Robert, earl of Glocester, her uncle David, king of Scots, Milo, earl of Hereford,[31] and Ranulf, earl of Chester: and from the castle, in which she resided, vigorously besieged the episcopal palace, and a fortress which the bishop had erected in the heart of the city. Henry flew to the assistance of his friends: and, as he was speedily reinforced by the queen and the Londoners, in a short time the besiegers

[31] Milo had been sheriff of Glocester under earl Robert, and at his own expense had hitherto supported the household of the empress (Cont. Wig. 677). A few days before her arrival at Winchester she created him earl of Hereford. From the patent, the oldest upon record, the reader may form a notion of the advantages, which were then annexed to the dignity of earl. With the title Milo obtained the castle and moat of Hereford, the services of three knights or barons and of their retainers, three manors from the royal demesnes, a forest, and a right to the third penny of the rents of the city, and the third penny of the sums arising from causes tried in the courts of the county, to be held by him and his heirs of Matilda, and her heirs in fee. The patent is dated July 25th, 1141. Rymer, i. 19.

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themselves were besieged. During seven weeks each day was signalized by some daring attempt
Aug. 2. or splendid exploit. Between the two parties the city was plundered and set on fire: and the reader may judge of the extent of the conflagration, when he learns that forty churches and two abbeys were consumed.[32] Still the number of the royalists increased; their parties occupied every road; and the adherents of Matilda began to experience the privations of
Flees from the siege. famine. In this situation, with no probability of victory if they were to fight, their only choice was to flee; and they selected for the attempt a Sunday, when the vigilance of the enemy might be relaxed by the duties of reli-
Sep. 14. gion. Early in the morning Matilda with a strong escort left the castle: her brother Robert followed at a distance with a number of knights, who had engaged to risk their liberty
Robert is taken. and lives for her safety.[33] At Stourbridge they sank under the pressure of their pursuers: and the whole party was killed or captured. Matilda herself, attended by her faithful Brian Fitz-Count, reached Luggershal; and after

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[32] The continuator of Florence, who was the friend of Milo, and his copyist Gervase, attribute the conflagration to the resentment of Henry (Cont. Wig. 677. Gerv. 1356), but as he was not in the city, I prefer the account of the other contemporary writers who tell us that it arose from the attempts of the garrison to expel the enemy from the houses in the vicinity of the bishop's palace. Gesta Steph. 956. Malm. 107. [33] Here again I prefer the narratives of Malmsbury and the author of the Gesta Stephani. Ibid.

taking some refreshment, hastened her flight to the castle of Devizes. The king of Scots was thrice taken, and as often redeemed himself from his captors. Milo, alone and almost naked, reached the castle of Glocester: the rest either fell into the hands of the conquerors, or on foot and in the disguise of peasants escaped after many adventures to their respective homes.[34]

To the praise of the queen it is recorded that she treated the captive earl of Glocester with more generosity than could have been expected by the man, who still kept her husband in chains. In the castle of Rochester he enjoyed every indulgence which was compatible with the security of his person: and after some negotiation it was agreed that he should be exchanged for the king.[35] By this revolution the two parties were placed in the same relative situation, in which they had stood before the battle of Lincoln: only the legate, who had alternately sided with each, found himself in a most awkward predicament. In a synod of the clergy, which was convened at Westminster, it was expected that he would attempt to justify his conduct. At the opening was read a real

Stephen is released.

Nov. 1.

Dec. 7. A synod of the clergy.

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[34] Gesta Steph. 956. Malm. 108. Contin. Wig. 677. The latter says that not finding herself in security at Devizes, Matilda was placed on a bier like a corpse, and drawn on a hearse from that castle to Glocester. Had the story been true it would certainly have been known and mentioned by the other writers of the time.

[35] Malm. 109.

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or pretended letter from the pope, ordering him to make every effort for the liberation of his brother. Stephen, who was present, then spoke, and complained of the injuries which he had received from men, who were his vassals, and to whom he had never refused justice. At last the legate arose. He owned that he had supported the cause of Matilda, but pleaded that he had been dragged to it by necessity, not allured by affection: she, however, had violated all the promises which he had exacted from her; and had even assented to a plot to deprive him of liberty and life: but God had punished her perfidy, and had now restored the king to his throne. He therefore exhorted the clergy to oppose Matilda, and to excommunicate her adherents. In the course of this address he was interrupted by one of her friends, who in her name accused him of being the cause of all these calamities. It was, he said, by the invitation of the legate that she had come to England: with his knowledge that the expedition to Lincoln had been undertaken: and by his advice that the king had been loaden with chains: and he concluded with forbidding him, by the fidelity which he had sworn to her, to publish any decision to her prejudice. Henry heard him with apparent composure: his countenance betrayed no emotions of shame; nor did he return one angry word to these invectives. Before the synod was dissolved, the

sentence of excommunication was pronounced against all who should erect new castles, or invade the rights of the church, or offer violence to the poor and defenceless.[36]

Arrival of prince Henry. 1142.

Both parties were now ready to recommence hostilities: but a long and dangerous sickness confined Stephen to his chamber: and Robert embraced the opportunity to sail to the continent, and solicit the aid and presence of Geoffry, the husband of Matilda. By that prince, to whom his wife had long been an object of aversion, the invitation was declined. He had undertaken the reduction of Normandy; and refused to abandon the enterprise till his success were complete: but he was willing to intrust to the care of the earl his eldest son Henry, the legitimate heir of Matilda.[37] Several months were lost by the tergiversation of Geoffry, and in the mean time Stephen had marched to Oxford, the residence of the empress. As the garrison came out to meet him, he swam across the river, put his enemies to flight, entered the gates with the fugitives, and set fire to the city. Matilda retired into the castle: he sat down before it: and so confident was he of the capture of his rival, that no inducement, not even the arrival of Robert with his nephew Henry, nor the loss of several fortresses, nor the severity of the winter, could withdraw him from the

Empress besieged in Oxford. Sep. 26.

[36] Malm. 108. Gervase, 1357.

[37] Malm. 109.

CHAP. IV.

siege. The strength of the fortifications bade defiance to all his efforts: but at the end of ten weeks the provisions of the garrison were consumed: and Matilda was a third time reduced to the risk of a clandestine and precipitate flight. It was a severe frost, and the ground was covered with snow. Attended by three knights, clothed in white, she issued at a very early hour from a portal: the nearest sentinel, who had been previously bribed, conducted her in silence between the posts of the enemy: the ice bore her across the Thames: she reached Abingdon on foot, and thence rode with expedition to Wallingford. This, the most extraordinary of her adventures, was a subject of astonishment to her enemies: by her friends it was deemed a convincing proof that she was under the special guard of the Deity.[38]

Dec. 20.

She escapes.

War languishes. 1143.

If Stephen reduced Oxford, Robert defeated him at Wilton: and the power of the two parties still remained fairly balanced. With the exception of the three northern counties, which obeyed the king of Scots, Stephen was nominally acknowledged as sovereign in the eastern, Matilda in the western, half of the kingdom. But the real authority of each was confined within narrower limits, that of the king to the counties in the neighbourhood of Lon-

[38] Gest. Steph. 958, 959. Gervase, 1358. Malm. 110.

don, that of Matilda to those in the vicinity of Glocester. In this state of weakness neither was able to inflict any serious injury on the other: and hostilities were kept alive by petty skirmishes and unimportant sieges, the description of which could neither amuse nor instruct the reader. The interests of Matilda suffered more from sickness than war. She was deprived by death of the services of Milo, the stanchest of her partisans, and of the counsels of her brother Robert, the principal support of her cause. The loss of these friends threw a gloom over her mind: the experience of eight years had taught her how uncertain was the issue of the contest: and she withdrew to Normandy to watch the course of events, and to take advantage of the first favourable occurrence.[39] Yet Stephen derived no benefit from her departure. He had been careful to earn the enmity of the barons by acts of violence similar to those by which he had formerly alienated the affections of the clergy. Under the mask of friendship he had invited to his court, first Geoffry de Mainville, and afterwards Ranulf earl of Chester; had arrested them on mere suspicion of disaffection; and had compelled them to surrender their castles as the price of their liberty. After this outrage they defied his authority, and sought revenge: many

1146.

Matilda leaves England. 1147.

Stephen quarrels with the barons,

[39] Gesta Steph. 959. Hunt. 225. Gerv. 1358—1362.

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associated with them in their own defence: and most trusted for security to the strength of their fortresses, rather than the faith of a jealous and violent prince.[40] At the same time he had the imprudence to drive the church into the arms of his enemies. His brother Henry had exercised the powers with which he had been invested by the pope, in a very questionable, and sometimes in an arbitrary, manner. He had even framed the plan of rendering his see of Winchester independent of that of Canterbury, and of decorating it by the aid of the king and the pontiff with the metropolitical honours. But his patron Innocent died: two popes succeeded in the short space of two years; and one of them, at the solicitation of archbishop Theobald, deprived Henry of the legatine authority. Mortified at his disgrace, the bishop prevailed on his brother to forbid Theobald to assist at the council of Rheims, at which

and with the clergy.

1147. Eugenius III. presided. The primate despised the prohibition, and at his return was driven into exile. He landed in France, recrossed the sea to Framlingham, and there, under the protection of Bigod, earl of Norfolk, published a sentence of interdict against all the demesnes of the king. It was instantly put in execution; and Stephen's friends, alarmed at the cessation of the divine service, compelled him to seek a

[40] Gest. Steph. 963. 971. Hunt. 225. Gerv. 1360.

reconciliation with the archbishop.[41] Some time afterwards he assembled all the prelates, and required them to crown his son Eustace. Theobald refused: he had consulted, he said, the pope, and had been forbidden to comply; because, as Stephen had acquired the crown, not by way of inheritance, but by open force, and in violation of his oath, he could have no right to transfer it to his posterity. In a paroxysm of rage the king ordered his guards to confine the prelates in the hall, and sent messengers to seize their temporalties: on cooler reflection he resolved to dissemble his resentment, and admitted them again into favour.[42]

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1151.

Much of Stephen's conduct at this period must be attributed to the terror with which he viewed the growing prosperity of Henry, the son of Matilda. At the age of sixteen that young prince had visited his uncle David at Carlisle, and had received from him the honour of knighthood. On his return he obtained from his father Geoffry the cession of the dutchy of Normandy; at the death of that prince he succeeded to the earldom of Anjou; and by his marriage with Eleanor of Poitou, within six weeks after her divorce from the king of France, he had acquired the extensive dutchy of Aqui-

History of Prince Henry.

1149.

1150.

1152.

[41] Gerv. 1363. 1666. An interdict prohibited the celebration of religious worship, within a certain district, and will be more fully explained in the reign of king John.

[42] Gerv. 1369. 1668. Hunt. 226.

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taine.[43] This sudden aggrandizement of the son of Matilda elevated the hopes of Stephen's enemies. The earl of Chester visited the young prince in Normandy: and, when at his solicitation Henry landed in England to assert the claim of his mother, his standard was immediately joined by the ancient friends of his family. Fortunately for the repose of the nation, Eustace, the eldest of the king's sons, was, in the heat of the contest, removed by a sudden death: and the archbishop of Canterbury and the bishop of Winchester improved the opportunity to reconcile the jarring interests of the two parties.[44] After a long and animated discussion their pretensions were solemnly adjusted in the following manner. 1. Stephen adopted Henry for his son, appointed him his successor, and *gave* the kingdom of England, after his own death, to him and his heirs for ever. In return the young prince did him homage, and swore fealty to him. 2. Henry received the homage of William, the surviving son of the king, and in return granted to him all the lands and honours possessed by Stephen before his accession to the throne, confirmed to him the possessions which he had acquired by his marriage with the heiress

He lands in England. 1152.

1153. Aug. 18.

Terms of peace. Nov. 7.

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[43] She was the daughter of William, earl of Poitou, and duke of Aquitaine. Her gallantries at Antioch during the crusade alienated the affection of her husband; and after their return they were divorced at their mutual request on the plea of consanguinity. Chron. Norm. 985. [44] Hunt. 227, 228. Joan. Hagul. 277, 278.

of the earl of Warrenne, or by the gift of his father, and as a proof of his affection added the honour of Pevensey, and several manors in Kent. 3. The earls and barons of the duke's party did homage to the king; those who had formerly been his vassals, as to their sovereign lord; those who had not, on condition that he should observe the treaty: and in like manner the earls and barons of the king's party did homage to the duke, saving their allegiance to the sovereign. All swore that if either of the two princes broke his engagements, they would desert him and support the cause of his rival. 4. The inhabitants of the different boroughs, and the garrisons of the royal castles swore fealty to Henry in the like terms as the king's barons. 5. The officers to whom Stephen had intrusted the tower of London, the moats of Windsor and Oxford, the fortress of Lincoln, the castle of Winchester, and the fort of Southampton, gave hostages, that in the event of the king's death, they would surrender them to the duke. 6. The bishops and abbots, by *Stephen's command*, took the oath of fealty to Henry, and engaged to enforce the due execution of the treaty by ecclesiastical censures. A narrative of the whole transaction was made in the form of a charter, granted by the king and witnessed by the prelates and barons.[45]

[45] Rymer, Fœd. i. 25. By some error of the copyists, Henry's father is mentioned in this instrument as living. It should be his

CHAP. IV.

Stephen's death. 1154.

After this pacification the two princes, to display the harmony in which they lived, visited together the cities of Winchester, London, and Oxford, and were received at each place in solemn procession, and with the most joyful acclamations. At Easter they separated with demonstrations of the most cordial friendship.

Oct. 25.

Henry revisited Normandy: and Stephen a few months afterwards died at Canterbury. He had reigned nineteen years, and was buried near the remains of his wife and son at Faversham, a convent which he had founded.[46]

Distress during his reign.

Never did England, since the invasion of the Danes, present such a scene of misery as under the government of this unfortunate monarch. The two competitors, alike dependant on the caprice of their adherents, were compelled to connive at excesses, which it would have been dangerous to punish: and the foreign mercenaries, whom the barons as well as the princes retained in their service, frequently indemnified themselves for the want of pay by the indiscriminate plunder of friend and foe. The desire of revenge also mixed itself with the thirst of power: whenever one party had inflicted an

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mother, mater instead of pater. His father Geoffry had died at Lisieux, on the 7th of September, 1150. Chron. Norm. 984. Wilkins (Leg. Sax. 316) has replaced mater, ex Rub. lib. Scac. fol. 164.

[46] Hunt. 228. At the dissolution of the abbey under Henry VIII. his tomb was opened, the leaden coffin was melted down, and the bones were thrown into the sea.

injury, the other was impatient to retaliate: and these christian knights gloried in barbarities which would have disgraced their pagan forefathers.[47] Not content wth pillage, they had often recourse to conflagration. The destruction of the city of Winchester, the second in the kingdom, has already been noticed: a similar catastrophe befel that of Worcester: and Nottingham, a rich and populous town, was totally consumed, with the greater portion of its inhabitants.[48]

The principal cause of these calamities may be traced to the castles, which covered the face of the country. Wherever one of these fortresses was erected, several others for the purpose of protection immediately arose around it. But some took not the trouble to build; they seized and fortified the nearest churches. Thus the abbey of Ramsey was converted into a castle by Geoffry Granville, the monastery of Coventry by Robert Marmion, and the church of Bridlington by William of Albemarle. In addition to those which existed at Stephen's accession, no fewer than one hundred and twenty-six were fortified during his reign.[49] The owners, secure within their walls and moats, conceived themselves freed from all restraints of justice or law. They plundered the lands in the neighbourhood,

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[47] Gest. Steph. 961, 962. 964, 965. 970. [48] Hunt. 226, 227.
[49] Chron. Norm. 989.

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carried off the inhabitants, and confined in dungeons the most respectable of their captives. There every species of torture was employed to extort from the sufferers an enormous ransom, or a discovery of the place in which their property was concealed. Some were suspended by the feet in a volume of smoke, others were hanged up by the thumbs, while plates of heated metal were applied to the soles of the feet. Hunger and thirst, knotted cords twisted with violence round the temples, and pressure in a large trunk, the bottom of which was strewed with broken stones, were favourite modes of torture: but Philip Gay, a kinsman of the earl of Glocester, had the merit of inventing a new and more formidable contrivance, which was afterwards adopted by several of these petty tyrants. This was the "Sachentege," or culprit's halter: a heavy engine of iron studded with sharp points, and made to encircle the neck and press upon the shoulders, so that the sufferer could neither sit, nor stand, nor lie, without the most acute pain.[50] It sometimes happened that the cruelty of these barbarians wrought its own punishment. The husbandmen fled from the neighbourhood of the castle: the lands were left barren: and, as provisions could only be procured by force, the garrison was reduced to the verge of famine. The fugitives usually retired

[50] See a long description of these tortures in the Saxon Chronicle, 236, 239.

to some of the ecclesiastical establishments, where they built their miserable hovels against the walls of the church, and begged a scanty pittance of bread from the charity of the clergy or monks. But even here they could not promise themselves security. The curses, which were perpetually denounced against the invaders of ecclesiastical property, were despised: and the churches themselves, with those who served them, were swept away by the lawless and sacrilegious banditti. Such was the desolation of the land, say two contemporary historians, that villages and towns were left destitute of inhabitants: and in many parts a man might ride a whole day, without discovering on his route one human being.[51]

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[51] Chron. Sax. 239. Gest. Steph. 961.

HENRY II.
CONTEMPORARY PRINCES.

Emperor of Germany.
FREDERIC I.

Kings of Scotland.
MALCOLM IV. 1165.
WILLIAM.

Kings of France.
LOUIS VII. . 1180.
PHILIP AUGUSTUS.

Kings of Spain.
ALPHONSO VIII. 1157.
SANCHO . . . . . 1158.
ALPHONSO IX.

Popes.
ANASTASIUS IV. . 1154.
ADRIAN IV. . . 1159.
ALEXANDER III. . 1181.
LUCIUS III. . . . 1185.
URBAN III. . . . 1187.
GREGORY VIII. . 1187.
CLEMENT III.

HENRY II. + 1189. = ELEANOR. + 1202.

4. William. + 1156. | Henry. + 1182. = Margaret, of France. + 1198. | RICHARD I. + 1199. = Berengaria, of Navarre. | Geoffry, Earl of Bretagne. + 1186. = Constance, of Bretagne. + 1201. | JOHN. + 1216. = Isabella, of Angouleme. | Three Daughters.

5. Arthur. + 1202 | Mary, of France. | Constance. + 1241. | HENRY III. + 1272 = Eleanor, of Provence. | Isabella Mareschal. = Richard, King of the Romans. + 1271. = Sanchia, of Provence. + 1261. | Joan, Queen of Scots. + 1238. | Eleanor. = Montford, Earl of Leicester. | Isabella, Empress of Germany. + 1241.

6. Eleanor, of Castile. + 1290. = EDWARD I. + 1307. = Margaret of France. + 1317. | Edmund, Earl of Lancaster. + 1296. = Blanche, Queen of Navarre. | Margaret, Queen of Scots. + 1273. | Henry. + 1271. | Edmund, Earl of Cornwall. + 1360. = Margaret de Clare.

7. EDWARD II. + 1326. = Isabella, of France. + 1357. | Thomas, Earl of Norfolk. | Edmund, Earl of Kent. = Margaret Wake. | Thomas, Earl of Lancaster. + 1322. | Henry, Earl of Lancaster. = Matilda Chaworth. | John. of Lancaster.

8. EDWARD III. + 1377. = Philippa. + 1369. | John, Earl of Cornwall. + 1334. | Joan, Queen of Scots. 1357. | Eleanor, Dutchess of Gueldres. | Edmund, Earl of Kent. O. S. P. | Joan, married to the Prince of Wales. | Henry Duke of Lancaster + 1361. = Isabella Beaumont. | Several Daughters.

9. Edward, Prince of Wales. = Joan, Countess of Kent. | Lionel, Duke of Clarence. | John of Ghent, Duke of Lancaster. | Edmund of Langley, Duke of York. | Thomas of Woodstock, Duke of Glocester. | Two Sons, who died young. | Matilda. O. S. P. | Blanche, married to John of Ghent.

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HENRY II.

ACCESSION OF THE NEW KING—HIS CHARACTER—ARCHBISHOP THEOBALD—RISE OF THOMAS A BECKET—ORIGIN OF THE SPIRITUAL COURTS—CONSTITUTIONS OF CLARENDON—WAR IN WALES—DISPUTE BETWEEN THE KING AND THE PRIMATE—THEIR RECONCILIATION—MURDER OF THE PRIMATE—CONQUEST OF IRELAND—REBELLION OF THE KING'S SONS—CAPTIVITY OF THE KING OF SCOTS—COURTS OF JUSTICE—KING TAKES THE CROSS—HIS DEATH.

CHAP. V.

It were difficult to imagine a more glorious prospect than that which opened itself to the youth of Henry Plantagenet. By the death of his father he inherited Touraine and Anjou; in right of his mother he possessed Maine and Normandy; and with the hand of Eleanor he had received her ample portion, the seven provinces of Poitou, Saintogne, Auvergne, Perigold, Limousin, Angoumois, and Guienne. A third part of France, almost the whole western coast from the borders of Picardy to the mountains of Navarre, acknowledged his authority; and the vassal, who did homage to his sovereign for his dominions, was in reality a more powerful prince, than the king who received it. In his

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twenty-first year the death of Stephen added to these extensive territories the kingdom of England; and the eyes of Europe were directed to the first measures of the young monarch, whose ambition, were it equal to his power, might endanger the independence of all his neighbours.

Coronation of Henry. 1154. Dec. 6.

That he was impatient to take possession of the crown, which had been secured to him by the late treaty, will easily be conceived: but time was requisite to collect an escort becoming the dignity, and sufficient for the protection, of the new king: and a long continuance of stormy weather confined him a prisoner in the haven of Barfleur. After a vexatious delay of more than six weeks, he landed in England. The enmity of the adherents of Stephen had been silenced by their fears; and the vigilance and authority of archbishop Theobald had maintained the public tranquillity. At Winchester he received the homage of the nobility: at Dec. 19. Westminster he was crowned with his queen before an immense concourse of people,[1] and the foreign barons who had accompanied him from France. A few days were given to the festivities and pageantry usual on such occasions: but at the same time the new king did not forget the more important concerns of state. In one council he appointed the great officers of the crown; in another he confirmed to his subjects

[1] Gervase, 1377. Bromp. 1043.

all the rights and liberties, which they had possessed during the reign of his grandfather: and in a third he induced the barons and prelates to swear fealty to his eldest son William, and, in the event of William's death, to his second son Henry, a child still in the cradle.[2]

His administration.

To repair the evils, which the licentiousness of civil discord had inflicted on the nation during the reign of Stephen, was for several years the principal object of Henry's administration. With this view the earl of Leicester was appointed grand justiciary, with the most ample powers: a new coinage was issued of standard weight and purity: and the foreign mercenaries, who had so long infested England, received orders to quit the kingdom by a certain day under the penalty of death. In the execution of these measures no difficulty was experienced: but to demolish the castles, which had so long been the bane and terror of the defenceless inhabitants, and to recover the lands, which the necessities of Stephen and Matilda had compelled them to alienate to their respective partisans, required the personal exertions of the king, and the presence of a powerful army. He drove the earl of Nottingham, the murderer of the earl of Chester, out of the kingdom: he extorted from the fears of the earl of Albemarle, who had long reigned a sovereign in Yorkshire,

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[2] Gerv. 1378.

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the surrender of the strong castle of Scarborough: he took from Roger, the son of the celebrated Milo, the castle of Glocester, but permitted him to retain for life that of Hereford: he reduced by force Bridgnorth, Cleobury, and Wigmore, belonging to Hugh Mortimer: he levelled with the ground all the castles of Henry, bishop of Winchester, who mistrusting the enemy of his family, had retired with his treasures to Clugny: and at last he compelled Malcolm, king of Scots, to exchange the three northern counties, which had been so long in possession of his grandfather David, for the earldom of Huntingdon, to which the Scottish princes advanced a claim on account of their descent from earl Waltheof.[3]

Nicholas Breakspear made pope.

The same month which had witnessed the coronation of Henry, had been signalized by the succession of Nicholas Breakspear to the throne of the Vatican. This prelate, the only Englishman who ever sate in the chair of St. Peter, had been raised by his merit, from one of the lowest situations in life, to that which was deemed the highest dignity in christendom. He was the son of Robert Chambers, an obscure clerk, and afterwards monk of St. Alban's, and had been rejected by the abbot of that monastery on the

[3] Newbrig. ii. 1, 2, 3, 4. Gerv. 1377, 1378. Hov. 281. Malcolm became the liegeman of Henry, eodem modo, quo avus suus fuerat homo veteris Henrici, salvis omnibus dignitatibus suis. Hov. ibid. The meaning of this saving clause will be considered under the reign of Richard I.

ground of incapacity. Stung with this disgrace, and the reproaches of his father, he travelled to Paris, without any other resource than the alms of the charitable; studied with applause in that university; and wandering into Provence, was admitted among the regular canons of St. Rufus. Here his brethren by their free choice raised him successively to the offices of prior and abbot. But the virtues, which had won their esteem in an equal, became objects of hatred in a superior: and to free themselves from the rule of the stranger, they presented an accusation against him to pope Eugenius. The pontiff conversed with Nicholas, appreciated his merit, and endeavoured to reconcile him with his canons. After a short interval they offered a second complaint: "Go," replied Eugenius with a smile, "elect "another abbot. The Englishman is the cardi- "nal bishop of Albano." In his new station he did honour to the discernment and choice of his patron. He was sent with the authority of legate to the kingdoms of Denmark, Sweden, and Norway: and during the four years of his mission, acquired the esteem of the natives, and deserved the confidence not only of Eugenius but of his successor Anastasius. On the day after the decease of the latter, the unsolicited and unanimous suffrages of the bishops and cardinals, placed him on the pontifical throne. His elevation was applauded by the clergy and people with shouts of joy; and the only person, who

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1154. Dec. 2.

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appeared not to partake of the general exultation was Nicholas himself.[4] In England the intelligence was hailed with transport. Every individual felt proud that one of his countrymen had been raised to the first dignity in the christian world: and three bishops were deputed to offer to the new pope the congratulations of the king and the nation. To John of Salisbury, a learned monk who accompanied them, Adrian (such was the name which he had assumed) unbosomed himself without reserve, spoke with real regret of his elevation, and complained of the multiplicity of business which absorbed his whole time and attention. In his cell at St. Rufus, so he observed, he had tasted happiness: but in his ascent to greatness, at every step he had been harassed with additional cares. Beholders might deem the tiara a splendid, but the wearer found it a burning, crown.[5]

Embassy to the new pope.

One object of these envoys, if we may believe a suspicious tale, was to consult the pope on a very singular case. Geoffry, the king's father, had on his death-bed exacted an oath from the

[4] Baron. ex cod. Vatic. Rom. pont. 379. I shall add the honourable character which is given of him by this ancient document. Erat autem vir valde benignus, mitis, et patiens, in Græca et Latina lingua peritus, sermone facundus, eloquentia politus, in cantu ecclesiastico præcipuus, prædicator egregius, ad irascendum tardus, ad ignoscendum velox, hilaris dator, eleemosynis largus, et omni morum compositione præclarus. Id. 380.

[5] Newbrig. ii. 6. Paris, 1016. 1019. Baron. tom. xii. ad. ann. 1154. Coronam et phrygium merito clara videri, quia ignea sunt. Joan. Salis. Polycrat. viii. 23.

barons and prelates who attended him, that they would not suffer his body to be interred, till Henry should solemnly swear to fulfil the secret dispositions of his testament. The young prince, as was natural, demurred: the very circumstance proved that these dispositions, whatever they might be, were injurious to his interests: wearied, however, by the importunity of his friends, and shocked at the idea of preventing the inhumation of his father's corpse, he consented to take the prescribed oath. The will was now opened in his presence: and it was discovered that the earl had bequeathed Anjou, the patrimony of his family, to Geoffry, his second son, in the event of Henry's succession to the throne of England. It is said that the king now solicited the pope to absolve him from the obligation of this imprudent oath; and that Adrian granted his request, on the ground that he had sworn under the influence of force, and without a due knowledge of the consequences. But the whole story savours more of romance than history: and as it is not easy to reconcile it with the statements of the native writers, we may believe that Nubrigensis, from whom we have received it, was occasionally deceived in his cell in Yorkshire, with false accounts of continental transactions.[6] This only is certain,

[6] See Carte, i. 566. Newbrigensis himself relates the latter part of the story as a report (ii. 7), but his "ut dicitur" is omitted by his copyist, Brompton, 1044.

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1156. that Henry crossed the sea, did homage to the king of France, reduced by force the three castles of Chinon, Loudon, and Mirabeau, belonging to his brother, and as a compensation settled on that prince an annuity of one thousand English, and two thousand Angevin pounds. Geoffry consoled himself for his loss by the acceptance of the earldom of Nantes, which had been spontaneously offered him by the citizens. However, he died in a short time: and when Conan, earl of Richmond, who had assumed the title of duke of Bretagne, occupied Nantes,

1158. Henry claimed and recovered it as heir to his deceased brother.[7]

Character of Henry.

Before I proceed with this narrative, I shall lay before the reader a sketch of the king's character, as it has been delineated by writers, who lived in his court, and observed his conduct under the vicissitudes of a long and eventful reign. Between the conqueror and all his male descendants there existed a marked resemblance. The stature of Henry was moderate, his countenance majestic, and his complexion florid: but his person was disfigured by an unseemly protuberance of the abdomen, which he sought to contract by the united aid of exercise and sobriety. Few persons have equalled him in abstemiousness, none perhaps in activity. He was perpetually in motion on foot or on horse-

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[7] Newbrig. ii. 7. Chron. Norm. 991, 992. 994.

back. Every moment which could be spared from more important concerns, he devoted to hunting: but no fatigue could subdue his restlessness: after the chase he would snatch a hasty repast, and then rising from table, in spite of the murmurs of his attendants, keep them walking or standing till bed-time.[8] During his education in the castle of Glocester he had acquired a knowledge of letters; and after his accession delighted in the conversation of the learned. Such was the power of his memory, that he is said to have retained whatever he had heard or read, and to have recognised at the first glance every person whom he had previously seen.[9] He was eloquent, affable, facetious; uniting with the dignity of the prince the manners of the gentleman: but under this fascinating outside was concealed a heart, that could descend to the basest artifices, and sport with its own honour and veracity. No one would believe his assertions or trust his promises: yet he justified this habit of duplicity by the maxim, that it is better to repent of words than of facts, to be guilty of falsehood than to fail in a favourite pursuit.[10] Though possessed of ample do-

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[8] Girald. Camb. 783. Pet. Bles. ep. 40. 66. A mane usque ad vesperam stat in pedes. p. 98. Newbrig. iii. 26.

[9] Giral. 783, 784. Bles. ep. 66.

[10] Girald, 783. Cardinal Vivian, after a long conversation with Henry, said, "Never did I witness this man's equal in lying." Ep. S. Thom. iii. 60.

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minions, and desirous of extending them, he never obtained the laurels of a conqueror. His ambition was checked by his caution. Even in the full tide of prosperity he would stop to calculate the chances against him, and frequently plunged himself into real, to avoid imaginary, evils. Hence the characteristic feature of his policy was delay: a hasty decision could not be recalled: but he persuaded himself that procrastination would allow him to improve every advantage which accident might offer.[11] In his own dominions he wished, says a contemporary, to concentrate all power within his own person. He was jealous of every species of authority which did not emanate from himself, and which was not subservient to his will. His pride delighted in confounding the most haughty of his nobles, and depressing the most powerful families. He abridged their rights, divided their possessions, and married their heiresses to men of inferior rank.[12] He was careful that his favourites should owe every thing to himself, and gloried in the parade of their power and opulence, because they were of his own creation. But if he was a bountiful master, he was a most vindictive enemy. His temper could not brook contradiction. Whoever hesitated to

[11] Girald. 783. Bles. ep. 66.

[12] Girald. 784. Servis generosas copulans pedaneæ conditionis fecit universos. Radulphus Niger apud Wilk. Leg. Sax. 338. This writer has painted Henry in the most hideous colours. He had been banished by the king, and revenged himself with his pen.

obey his will, or presumed to thwart his desires, was marked out for his victim, and was pursued with the most unrelenting vengeance. His passion was the raving of a madman, the fury of a savage beast.[13] In its paroxysms his eyes were spotted with blood, his countenance seemed of flame, his tongue poured a torrent of abuse and imprecation, and his hands were employed to inflict vengeance on whatever came within his reach.[14] On one occasion Humet, a favourite minister, had ventured to offer a plea, in justification of the king of Scots. Henry's anger was instantly kindled. He called Humet a traitor, threw down his cap, ungirt his sword, tore off his clothes, pulled the silk coverlet from his couch, and unable to do more mischief, sate down, and gnawed the straw on the floor.[15] Hence the reader will perceive that pride and passion, caution and duplicity, formed the distinguishing traits in his character.

Archbishop Theobald.

Among those who possessed well founded claims on the gratitude of the king, one of the principal was Theobald, archbishop of Canterbury. He had suffered banishment in the cause of the Plantagenets, had refused to place the crown on the head of Eustace, had negotiated the treaty between Henry and Stephen, and

[13] Est leo, aut leone truculentior, dum vehementius excandescit. Blesen. ep. 75. [14] Girald. 783. Bles. 66. When, on one of these occasions, a page presented him a letter, the king attempted to tear out his eyes, nor did the boy escape without severe scars. Ep. S. Tho. i. 45. [15] Ep. S. Thom. i. 44.

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had preserved the public tranquillity after the unexpected death of the latter. These services were not forgotten: and the primate during two years retained the first place in the councils of his sovereign. When age and infirmity admonished him to retire, his affection for Henry, whom he loved as his own child,[16] induced him to recommend to the royal favour a minister, whose acquirements might deserve the esteem, and whose wisdom might guide the inexperience of the young monarch. With this view, and at the suggestion of the bishop of Winchester, Theobald brought forward his own archdeacon, Thomas Becket, a personage whom the reader will see acting for years an important part on the theatre of public affairs, and who, since his death, has been alternately portrayed as a saint and hero, or as a hypocrite and traitor, according to the religious bias of the historian.

Thomas Becket.

Becket was the son of Gilbert, one of the principal citizens of London, the countryman and acquaintance of the archbishop. He was placed in his childhood under the care of the canons of Merton, and afterwards continued his studies in the schools of the metropolis, of Oxford, and of Paris. When his father died, he was admitted into the family of Theobald, and with the permission of his patron left England to improve himself in the knowledge of the civil

[16] See many of his letters apud Bles. ep. 44. 48. 54. 63.

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and canon law. He attended the lectures of Gratian at Bologna, and of another celebrated professor at Auxerre. As soon as he returned, his acquirements were appreciated and rewarded: he obtained preferment in the churches of Lincoln and St. Paul's: he was collated to the provostship of Beverley: and, on the elevation of Roger de Pont l'Eveque to the see of York, succeeded him in the archdeaconry of Canterbury, the richest dignity in the English church after the bishoprics and abbeys, which gave the rank of baron to their possessors.[17] His predecessor had always viewed him with an eye of jealousy; and the rivalry, which commenced at this early period, continued to divide them through life. By his intrigues, Becket had been twice dismissed from the service of Theobald;[18] but after the removal of Roger the new archdeacon ruled without control: he became the confidential adviser of the primate: as his representative he twice visited the papal court; and to his influence the public attributed the firm adhesion of Theobald to the cause of Matilda. The recommendation of that prelate introduced him to the notice, and his own merit entitled him to the protection and friendship, of Henry. He was appointed chancellor,[19] the

[17] It was then worth 100*l.* per annum. Stephan. 11.

[18] Stephan. 11. Edvard. Grim in Vita apud Surium, 355.

[19] The chancellor in virtue of his office was keeper of the king's

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preceptor of the young prince, and the depositary of the royal favour. With these distinctions he received more substantial benefits, in the wardenship of the tower of London, the custody of the castle of Berkhamsted, and the honour of Eye with the services of one hundred and forty knights. Nor was the rapidity of his rise superior to the splendour of his course. His equipage displayed the magnificence of a prince: his table was open to every person who had business at court:[20] he took precedence of all the lay barons: and among his vassals were numbered thousands of knights, who had spontaneously done him homage, with the reservation of their fealty to the sovereign. The pride of Henry was gratified with the ascendency of his favourite. He lived with Becket on terms of the most easy familiarity; and seemed to have resigned into his hands the government of

seal, signed all grants, had the care of the royal chapel, and the custody of vacant baronies and prelacies, and possessed a right to a seat in the council without being summoned. It was understood to be a certain step to a bishopric, and therefore, to avoid the impediment of simony, was one of the few offices which could not be purchased. Stephan. 13. The chancellor had not at this period any authority strictly judicial; the first mention of the court of chancery occurs in the reign of Edward I. Spelm. Archaeologia, 107.

[20] His biographer here mentions a circumstance illustrative of the manners of the time. The number of uninvited guests was often greater than could be accommodated at table. Becket, that they might not soil their garments when they *sate* on the floor, was careful that it should be daily covered with *fresh* hay or straw. Stephan. 14.

his dominions both in England and on the continent.[21] CHAP. V.

His embassy to the French court.

Almost every useful measure, which distinguished the commencement of the king's reign, has been attributed to the advice of Becket by the veracity or partiality of his biographers. But the new chancellor did not merely give his advice: when occasion offered, he acted the parts of a negotiator and warrior. The king of France, who dreaded the aggrandizement of a vassal already more powerful than his lord, had threatened to oppose the pretensions of Henry to the earldom of Nantes. Becket was immediately dispatched to Paris. His magnificence 1158. astonished the inhabitants; his address lulled the jealousy of the monarch. The king followed to ratify the engagements of his minister; and Henry, his eldest son (for William had died), was affianced to Margaret, the infant daughter of Louis. A Norman baron accepted the care of the lady's education: her dower, three castles in the Vexin, was placed in the hands of the

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[21] See Stephanides, p. 14—17. The expressions in the correspondence of the age are very strong. Theobald says: in aure et ore vulgi sonat vobis esse cor unum et animam unam (Bless. ep. 78). Petrus Cellensis: Secundum post regem in quatuor regnis quis te ignorat (Martenne, Thesaur. Anec. iii.). The English bishops: In familiarem gratiam tam lata vos mente suscepit, ut dominationis suæ loca quæ a boreali oceano ad Pyrenæum usque porrecta sunt, potestati vestræ cuncta subjecerit, ut in his solum hos beatos reputaret opinio, qui in vestris poterant oculis complacere. Epist. S. Thom. i. 126.

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knights Templars, till the conclusion of the marriage.[22]

His exploits in France. 1159.

But the future union of their children formed too feeble a tie to bind princes, naturally divided by a multiplicity of jarring and important interests. Their friendship had scarcely commenced, when it was interrupted by a contest of the most singular description. The father of queen Eleanor had possessed the dutchy of Toulouse, in right of his wife, and had mortgaged it for a sum of money to her uncle, Raymond, count of St. Gilles. At his death the right of succession to all his dominions devolved on his daughter:

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[22] Chron. Norm. 994. The reader will be amused with the following account of the manner, in which the chancellor travelled through France. Whenever he entered a town, the procession was led by two hundred and fifty boys, singing national airs: then came his hounds in couples: and these were succeeded by eight waggons, each drawn by five horses, and attended by five drivers in new frocks. Every waggon was covered with skins, and protected by two guards, and a fierce mastiff either chained below, or at liberty above. Two of them were loaded with barrels of ale to be given to the populace: one carried the furniture of the chancellor's chapel, another of his bedchamber, a third of his kitchen, and a fourth his plate and wardrobe: the remaining two were appropriated to the use of his attendants. These were followed by twelve sumpter horses, on each of which rode a monkey, with the groom behind on his knees. Next came the esquires bearing the shields, and leading the chargers of their knights, then other esquires, gentlemen's sons, falconers, officers of the household, knights and clergymen, riding two and two, and last of all the chancellor himself in familiar converse with a few friends. As he passed, the natives were heard to exclaim: "What manner of man "must the king of England be, when his chancellor travels in "such state!" Stephan. 20, 21.

and Raymond, that he might retain Toulouse, concluded a treaty with her husband the king of France, by which that territory was secured to him as the dower of his wife, Constantia, the sister of Louis. Eleanor, by her subsequent divorce from the French king, was restored to all her original rights: whence Henry contended that the transfer of Toulouse to Raymond was void, and prepared to enforce the claim of his queen at the head of a powerful army. By the advice of Becket he exchanged the personal services of his vassals for a pecuniary aid, a scutage of three pounds in England, and of forty Angevin shillings on the continent, to be levied on each knight's fee;[23] and with the money collected a numerous force of mercenaries, whose attendance in the field was limited to three months. With them marched spontaneously several English and foreign barons, a prince of Wales, Malcolm king of Scotland, and Raymond king of Arragon, to whose infant daughter Henry had affianced his son Richard, another infant still in the arms of his nurse. Among this host of warriors no one was more conspicuous than the chancellor, who had en-

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[23] The scutage raised in England 180,000*l.* (Gervase. 1381), which proves that the knights' fees were still 60,000, the number at which they had been fixed by "the conqueror." It was a commutation for military service: but did not fall on the tenants of the crown individually, since they levied it proportionally on their own tenants. Moreover, when they fulfilled their service to the king, he granted them permission to levy scutage on their tenants. See several such writs in Brady, i. 117—120. 219. Also the Costum. Norman. xxv.

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gaged a body of seven hundred knights at his own expense; and marching at their head was the foremost in every enterprise. Cahors was taken, and the army approached the walls of Toulouse, when the king of France, who considered his honour pledged to the count of St. Gilles, threw himself with a small force into the city. Becket advised an immediate assault: Louis would fall into the hands of the king, and who could calculate the advantage to be derived from the ransom of so illustrious a captive? The ardour of the chancellor was checked by the caution of Henry, who hesitated to authorize by his example the practice of vassals fighting against their lords. But while *his* council deliberated, the French knights hastened to the aid of Louis: the golden opportunity was lost: and the English king led back his army to Normandy. The chancellor remained to secure the conquests which had been made. He fortified Cahors, took three castles hitherto deemed impregnable, and tilted with a French knight, whose horse he bore off as the honourable proof of his victory. But his presence was soon required by Henry: and having disposed of his household troops in different garrisons, he returned to Normandy at the head of twelve hundred knights and four thousand cavalry, whom he had lately raised and maintained at his own charge.[24] Had he been a military adventurer,

[24] Newbrig. ii. 10. Chron. Norm. 992—995, Stephan. 22, 23. The cavalry were horsemen in the service of the different knights.

his conduct in this campaign might have deserved praise: but it savours little of the meek and peaceful spirit of the christian churchman. Something perhaps should be indulged to the manners of the age. The preceding reign had often beheld Henry of Winchester at the head of armies: Becket might allege, that what had been tolerated in a bishop and legate, was equally allowable in a deacon and chancellor. CHAP. V.

The forbearance of the English king was met with a suitable return on the part of Louis. The two princes saw each other: their respective claims were satisfactorily adjusted: and the young Henry did homage to the French monarch for the dutchy of Normandy. Yet within a month the war was rekindled. The death of his queen Constantia had left Louis a widower, without male issue: and after a short mourning of two weeks, by the advice of his council, he married Adelais, the sister of the three earls of Blois, Champagne, and Sancerre, and niece to Stephen, the late king of England. This alliance with a family so hostile to his interests alarmed Henry, who having clandestinely obtained a dispensation, caused the contract of marriage to be solemnized between his son, who had reached his seventh, and Margaret, the daughter of Louis, who was in her third year. His object in this precipitate Peace between Henry and Louis. 1160.

Each knight received three shillings a day for forty days, and was entertained at the chancellor's table during the time. Ibid.

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measure, was to obtain possession of her dower. The three knights Templars, to whom the castles of Gisors, Neufle, and Neuchatel, had been intrusted, were present at the ceremony, and in compliance with their oaths surrendered these fortresses to the king. Louis felt indignant at so dishonourable a transaction: hostilities were recommenced: but before much blood had been shed, another reconciliation was effected by the good offices of Peter of Tarentaise, who was employed in France to support the interests of pope Alexander III.[25]

Schism in the papacy.

On the death of Adrian in 1159 the college of cardinals had separated into two parties. Three-and-twenty votes were given in favour of Orlando, the chancellor of the apostolic see; three for Octavian, cardinal priest of St. Cecily's. Each assumed the title, and exercised the authority, of pope, the former under the name of Alexander III., the latter under that of Victor IV. The christian world was immediately divided between the two competitors. The emperor Frederic supported with all his influence the cause of his creature Victor: the kings of England and France, by the advice of their bishops, acknowledged the authority of Alexander. It was in vain that the emperor

[25] Chron. Norm. 997. Hoved. 282. Newbrig. ii. 24. The legates who had granted the dispensation, defended their conduct on the ground that it had already been agreed, ut eadem sponsalia fierent, si ecclesiæ possent habere consensum. Bouquet, xv. 701.

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essayed by letters and messengers to shake their determination. When Alexander found it prudent to quit Italy, they respectively solicited him to select his residence in their dominions: and when they met him at Courcy sur Loire, they placed him between them, and on foot, holding his bridle, conducted him to his pavilion. It was deemed a proud day for the pontiff, who thus in his exile was honoured by the most powerful monarchs; while his rival, though in the actual possession of Rome, was a mere puppet in the hands of his imperial protector.[26]

Becket is made archbishop of Canterbury.

The two last years of Theobald's life had been spent in advocating the cause of Alexander. Infirmity had rendered him incapable of active exertion: but he had employed the pen of his secretary to prove to the king and his fellow bishops the superior claim of a pontiff, who had been elected by the majority of the sacred college.[27] His death in 1161 left at the royal disposal the highest dignity in the English church. The favour enjoyed by the chancellor, and the situation which he filled, pointed him out as the person the most likely to succeed: by the courtiers he was already called the future archbishop: and when the report was mentioned to him, he ambiguously replied that he was acquainted with four poor

1161. April 18.

[26] Chron. Norm. 997, 998. Newbrig. ii. 9. Baron. ad ann. 1159—1162. [27] Blesen. ep. 48, 49.

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priests far better qualified for that dignity than himself. But Henry, whatever were his intentions, is believed to have kept them locked up within his own breast. During the vacancy the revenues of the see were paid into the exchequer: nor was he anxious to deprive himself of so valuable an income by a precipitate

1162. election. At the end of thirteen months he sent for the chancellor at Falaise, bade him prepare for a voyage to England, and added that within a few days he would be archbishop of Canterbury. Becket, looking with a smile of irony on his dress, replied: that he had not much of the appearance of an archbishop: and that if the king were serious, he must beg permission to decline the preferment, because it would be impossible for him to perform the duties of the situation, and at the same time retain the favour of his benefactor. But Henry was inflexible: the legate Henry of Pisa added his intreaties; and Becket, though he already saw the storm gathering, in which he afterwards perished, was induced, against his own judgment, to acquiesce.[28] He sailed to England: the prelates and a deputation of the monks of Canterbury assembled in the king's

May 30. chapel at Westminster: every vote was given in his favour: the applause of the nobility

[28] Stephan. 17. Vit. S. Thom. c. 6. Placuit ei ut promoverer in archiepiscopum, deus scit, me id non volente. Et magis pro suo quam pro dei amore acquievi. S. Thom. in Quadril. c. 34.

testified their satisfaction: and prince Henry in the name of his father gave the royal assent. Becket was ordained priest by the bishop of Rochester, and the next day, after having been declared free from all secular obligations, was consecrated by Henry of Winchester. It was a most pompous ceremony: for all the nobility of England, to gratify the king, attended in honour of his favourite. That the known intentions of Henry must have influenced the electors, there can be little doubt: but it appears that throughout the whole business every necessary form was fully observed. Gilbert Foliot alone, bishop of Hereford, a prelate of rigid morals, and much canonical learning, jeeringly observed, that the king had at last wrought a miracle: for he had changed a soldier into a priest, a layman into an archbishop. The sarcasm was noticed at the time as a sally of disappointed ambition.[29]

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June 3.

That Becket had still to learn the self-denying virtues of the clerical character, is plain from

Reforms his conduct.

[29] Stephan. 24. Gervase, 1382, 1383. Rad. a Dicet. 533. Foliot, in a letter which he wrote during the heat of the contest between Henry and the archbishop, complains of this election. He says that Matilda disapproved of it, that the clergy sighed at it, and that the nation exclaimed against it. Ep. S. Thom. i. 126. The primate's reply is satisfactory. He defies his enemies to point out any defect in the proceedings. If Matilda disapproved, her disapprobation was a profound secret: if any of the clergy signed, they were those who sought the archbishopric for themselves; and the nation, so far from exclaiming against his promotion, universally approved it. Ep. i 108. 127.

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his own confession: that his conduct had always defied the reproach of immorality, was confidently asserted by his friends, and is equivalently acknowledged by the silence of his enemies. The ostentatious parade and worldly pursuits of the chancellor were instantly renounced by the archbishop, who in the fervour of his conversion prescribed to himself, as a punishment for the luxury and vanity of his former life, a daily course of secret mortification. His conduct was now marked by the strictest attention to the decencies of his station. To the train of knights and noblemen, who had been accustomed to wait on him, succeeded a few companions selected from the most virtuous and learned of his clergy. His diet was abstemious: his charities were abundant: his time was divided into certain portions allotted to prayer, and study, and the episcopal functions. These he found it difficult to unite with those of the chancellor: and therefore, as at his consecration he had been declared free from all secular engagements, he resigned that office into the hands of the king.[30] This total change of conduct has been viewed with admiration or censure according to the candour or prejudices of the beholders. By his contemporaries it was universally attributed to a conscientious sense of duty: modern writers have

[30] Stephan. 24, 25. Blesen. ep. 27. Grim. in vita, 356. Gervase, 1384.

frequently described it as a mere affectation of piety, under which he sought to conceal projects of immeasurable ambition. But how came this hypocrisy, if it existed, to elude, during a long and bitter contest, the keen eyes of his adversaries? A more certain path would certainly have offered itself to ambition. By continuing to flatter the king's wishes, and by uniting in himself the offices of chancellor and archbishop, he might, in all probability, have ruled without controul both in church and state.[31]

And loses the king's favour.

For more than twelve months the primate appeared to enjoy his wonted ascendency in the royal favour. But during his absence the warmth of Henry's affection insensibly evaporated. The sycophants of the court, who observed the change, industriously misrepresented the actions of the archbishop; and declaimed in exaggerated terms against the loftiness of his views, the superiority of his talents, and the decision of his character.[32] Such hints made a deep impression on the suspicious and irritable mind of the king, who now began to pursue his late favourite with a hatred as vehement as had been the friendship, with which he had formerly honoured him. Amidst a number of discordant statements it is difficult to fix on the original

[31] Si vellemus suæ per omnia placere voluntati, in sua potestate vel regno non esset quis, qui nobis non obediret pro libito. S. Thom. apud Gervas. 1396. [32] Steph. 27.

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ground of the dissension between them: whether it were the archbishop's resignation of the chancellorship, or his resumption of the lands alienated from his see, or his attempt to reform the clergymen who attended the court, or his opposition to the revival of the odious tax known by the name of the danegelt.[33] But that which brought them into immediate collision was a controversy respecting the jurisdiction of the ecclesiastical courts. A rapid view of the origin and progress of these courts, and of their authority in civil and criminal causes, may not prove uninteresting to the reader.

Origin of the ecclesiastical courts.

1. From the commencement of christianity its professors had been exhorted to withdraw their differences from the cognisance of profane tribunals, and to submit them to the paternal authority of their bishops.[34] They, by the nature of their office, were bound to heal the wounds of dissension, and by the sacredness of their character were removed beyond the suspicion of partiality or prejudice. Though an honourable, it was a distracting servitude, from which the more pious would gladly have been relieved: but the advantages of the system recommended it to the approbation of the christian emperors: Constantine and his successors ap-

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[33] See Grim. apud Martenne, iii, 1739.—The account of the archbishop's having opposed the danegelt is ridiculed by Lord Lyttelton and Carte, but that Henry did revive that tax is certain from Radulphus Niger, Leg. Sax. 338. [34] 1 Cor. vi. 1—6.

pointed the bishops the general arbitrators within their respective dioceses: and the officers of justice were compelled to execute their decisions without either delay or appeal.[35] At first, to authorize the interference of the spiritual judge, the previous consent of both the plaintiff and defendant was requisite:[36] but Theodosius left it to the option of the parties, either of whom was indulged with the liberty of carrying the cause in the first instance into the bishop's court, or even of removing it thither in any stage of the pleadings before the civil magistrate.[37] Charlemagne inserted this constitution of Theodosius in his code: and ordered it to be invariably observed among all the nations, which acknowledged his authority.[38] 2. If by the imperial law the laity were permitted, by the canon lay the clergy were compelled, to accept of the bishop as the judge of civil controversies.[39] It

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[35] Euseb. vit. Constan. iv. 27. Sozomen. Hist. i. 9. More arbitri sponte residentis. Cod. de Epis. audientia, leg. 7. Ibid. leg. 8.

[36] Ibid. Si qui *ex consensu*, Valentin. iii. Novel. 12. Sozom. ibid.

[37] Cod. Theod. appen. Extravag. 1. De epis. judicio. Godefroy has proved that this edict should not be attributed to Constantine: but there can be little doubt that it was issued by one of his successors, probably Theodosius, to whom it is ascribed by Charlemagne.

[38] Capitul. Reg. Franc. vi. 366. He thus enumerates his subjects: Romani, Franci, Alamanni, Bajuvarii, Saxones, Turingii, Fresones, Galli, Burgundiones, Britones, Longobardi, Wascones, Beneventani, Gothi et Hispani—and says that he transcribed the law ex decimo sexto Theodosii imperatoris libro, capitulo videlicet ii. ad interrogata Ablavii ducis. Ibid.

[39] Con. Carth. iii. 9.

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did not become them to quit the spiritual duties of their profession, and entangle themselves in the intricacies of law proceedings. The principle was fully admitted by the emperor Justinian, who decided that in cases, in which only one of the parties was a clergyman, the cause must be submitted to the decision of the bishop.[40] This valuable privilege, to which the teachers of the northern nations had been accustomed under their own princes, they naturally established among their converts: and it was soon confirmed to the clergy by the civil power in every christian country. 3. Constantine had thought, that the irregularities of an order of men devoted to the offices of religion, should be veiled from the scrutinizing eye of the people. With this view he granted to each bishop, if he were accused of violating the law, the liberty of being tried by his colleagues; and moreover invested him with a criminal jurisdiction over his own clergy.[41] Whether his authority was confined to lesser offences, or extended to capital crimes, is a subject of controversy. There are many edicts, which without any limitation reserve the correction of the clergy to the discretion of the bishop:[42] but in the novels of Justinian, a distinction is drawn between ecclesiastical and civil

[40] Justin. Novel. lxxix. i. lxxxiii. In Novel. cxxiii. 21., he added the liberty of appeal from the bishop's sentence within ten days.

[41] Niceph. Hist. vii. 46. Con. Carth. iii. 9.

[42] Cod. Theod. de epis. et. cler. Leg. 41, 42. Cod. Justin. de epis. et cler. Leg. 1.

transgressions. With the former the emperor acknowledges that the civil power has no concern:[43] the latter are cognisable by the civil judge. Yet before his sentence can be executed, the convict must be degraded by his ecclesiastical superior: or if the superior refuse, the whole affair must be referred to the consideration of the sovereign.[44] That this regulation prevailed among the western nations, after their separation from the empire, is proved by the canons of several councils:[45] but the distinction laid down by Justinian was insensibly abolished: and, whatever might be the nature of the offence with which a clergyman was charged, he was, in the first instance at least, amenable to none but an ecclesiastical tribunal.[46]

It was thus that on the continent the spiritual courts were first established, and their authority was afterwards enlarged: but among the Anglo-Saxons the limits of the two judicatures were intermixed and undefined. When the imperial government ceased in other countries, the natives preserved many of its institutions, which the conquerors incorporated with their own laws: but our barbarian ancestors, eradicated every prior establishment, and transplanted the manners of the wilds of Germany into the new

[43] Justinian. Novel. lxxxiii. 1. See also Con. Chalced. iii. Cod. Theod. de religione, Leg. 1. [44] Justinian. Novel. cxxxiii. 21. [45] Synod. Parisien. v. can. 4. Synod. Matiscon. ii. can. 10. [46] See capitul. Reg. Franc. i. 38. v. 378. 390. vii. 347. 422. 436.

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solitude which they had made. After their conversion, they associated the heads of the clergy with their nobles, and both equally exercised the functions of civil magistrates. It is plain that the bishop was the sole judge of the clergy in criminal cases:[47] that he alone decided their differences,[48] and that to him appertained the cognisance of certain offences against the rights of the church and the sanctions of religion:[49] but as it was his duty to sit with the sheriff in the court of the county, his ecclesiastical became blended with his secular jurisdiction, and many causes, which in other countries had been reserved to the spiritual judge, were decided in England before a mixed tribunal. This disposition continued in force till the Norman conquest: when, as the reader must have formerly noticed, the two judicatures were completely separated by the new sovereign; and in every diocese "courts christian," that is of the bishop and his archdeacons, were established after the model, and with the authority of similar courts in all other parts of the western church.[50]

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[47] Leg. Sax. 51. iii. 115. 129. v. 140. xl. 151.

[48] Leg. Sax. 33. [49] Leg. Sax. 12. 34. 53. 142. l.

[50] Leg. Sax. 292. There can be no doubt that the existence of these courts was confirmed, as often as our kings confirmed in general terms the liberties of the clergy.—Blackstone, misled by an ambiguous passage in an old collection of laws, supposes that Henry the first abolished the "courts christian" (Comment. iii. 5): but the same collection frequently mentions them as in existence, and says expressly in the words of St. Ambrose: Sancitum est in

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The tribunals, created by this arrangement, were bound in the terms of the original charter, to be guided in their proceedings by the "episcopal laws," a system of ecclesiastical jurisprudence, composed of the canons of councils, the decrees of popes, and the maxims of the more ancient fathers. This, like all other codes of law, had in the course of centuries received numerous additions. New cases perpetually occurred: new decisions were given; and new compilations were made and published. The two, which at the time of the conquest, prevailed in the spiritual courts in France, and which were sanctioned by the charter of William in England, were the collection under the name of Isidore, and that of Burchard, bishop of Worms.[51] About the end of the century ap-

causis fidei vel ecclesiastici alicujus ordinis eum judicare debere, qui nec munere impar sit, nec jure dissimilis. Leg. Sax. 237.

[51] It is evident from the Anglo-Saxon councils that they followed a collection of canons, which was termed codex canonum vetus ecclesiæ Romanæ. I suspect it was that of Martin, bishop of Braga, sent by pope Adrian to Charlemagne; as at the same time the legates of that pontiff came to England and held two councils for the reformation of ecclesiastical discipline. In the beginning of the ninth century, Riculf, bishop of Mentz, brought into Gaul a new compilation by a writer who called himself Isidore (Hincm. opusc. xxiv.); but this compilation contained decrees, which had been hitherto unknown. Former collections began with the decisions of Siricius; Isidore added many, said to have been given by his predecessors. It is now acknowledged that they are forgeries; and from their tendency they seem to have been framed for the particular purpose of withdrawing prelates accused of crimes, from the immediate jurisdiction of the archbishop and the provincial synod, and placing them in the first instance under the protec-

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peared a new code from the pen of Ivo, bishop of Chartres, whose acquaintance with the civil law of Rome, enabled him to give to his work a superiority over the compilations of his predecessors. Yet the knowledge of Ivo must have been confined to the Theodosian code, the institutes and mutilated extracts from the pandects of Justinian. But when Amalphi was taken by the Pisans in 1137, an entire copy of the last work was discovered: and its publication immediately attracted, and almost monopolized, the attention of the learned. Among the students and admirers of the pandects, was Gratian, a monk of Bologna, who conceived the idea of compiling a digest of the canon law on the model of that favourite work: and soon afterwards, having incorporated with his own labours the collections of former writers, he

tion of the pontiff. In an age, unacquainted with the art of criticism, no one doubted the authenticity of these spurious decrees; the enemies of the innovation only contended that, whatever might have been decided by the first pontiffs, the contrary had afterwards been established by their successors (Flodoard. iii. 22). But the interest of the bishops coincided in this case with that of the pontiffs: by their united influence the opposition of the metropolitans was borne down: and the decrees in the compilation of Isidore were admitted as laws of the church. About 1010 Burchard made a new collection, into which they were also introduced. Whether they had been followed in England, we have not the means to ascertain; but in France their authority was no longer doubted: and by the leges episcopales the Norman bishops would certainly understand the laws contained in the two compilations of Isidore and Burchard. I have added this note, because most writers seem to suppose that it was not till after the decretum of Gratian, that the false decretals were admitted in this kingdom.

gave his "decretum" to the public in 1151. From that moment the two codes, the civil and canon laws, were deemed the principal repositories of legal knowledge: and the study of each was supposed necessary to throw light on the other. Roger, the bachelor, a monk of Bec, had already read lectures on the sister sciences in England: but he was advanced to the government of his abbey;[52] and the English scholars, immediately after the publication of the decretum, crowded to the more renowned professors in the city of Bologna. After their return they practised in the episcopal courts: their respective merits were easily appreciated: and the proficiency of the more eminent was rewarded with an ample harvest of wealth and preferment.

Contests between them and the civil courts.

This circumstance gave to the spiritual a marked superiority over the secular courts. The proceedings in the former were guided by fixed and invariable principles, the result of the wisdom of ages: the latter were compelled to follow a system of jurisprudence confused and uncertain, partly of Anglo-Saxon, partly of Norman origin, and depending on precedents, of which some were furnished by memory, others had been transmitted by tradition. The clerical judges were men of talents and education: the

[52] Chron. Norm. 783. Gerv. 1665. He was made abbot in 1149. From John of Salisbury we learn that Stephen prohibited the lectures of Roger. Joan. Salis. De nugis cur. viii. 22.

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uniformity and equity of their decisions were preferred to the caprice and violence which seemed to sway the royal and baronial justiciaries: and by degrees every cause, which legal ingenuity could connect with the provisions of the canons, whether it regarded tithes, or advowsons, or public scandal, or marriage, or testaments, or perjury, or breach of contract, was drawn before the ecclesiastical tribunals. A spirit of rivalry arose between the two judicatures, which quickly ripened into open hostility. On the one side were ranged the bishops and chief dignitaries of the church, on the other the king and the barons; both equally interested in the quarrel, because both were accustomed to receive the principal share of the fees, fines, and forfeitures in their respective courts. Archbishop Theobald had seen the approach, and trembled for the issue, of the contest; and from his deathbed he wrote to Henry, recommending to his protection the liberties of the church, and putting him on his guard against the machinations of its enemies.[53]

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[53] Bles. ep. 63. Stephan. 28. It is not improbable that Becket, while he was chancellor, and the royal favourite, might second the attempts of the king to extort money from the clergy. This has indeed been asserted (Lyttel. iii. 24. Mr. Turner, Hist. p. 202), but the assertion rests on a very frail foundation: on a MS. in the Cotton Library (Claud. B. ii. 3), attributed to Foliot, bishop of London, but proved to be a forgery by Mr. Berington (Hist App. ii.): on a passage in Wilkins (i. 431), which, however, is so muti-

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The king attacks the clerical privileges.

The contest at last commenced: and the first attack was made with great judgment against that quarter, in which the spiritual courts were the most defenceless, their criminal jurisdiction. The canons had excluded clergymen from judgments of blood: and the severest punishments which they could inflict, were flagellation, fine, imprisonment, and degradation. It was contended that such punishments were inadequate to the suppression of the more enormous offences; and that they encouraged the perpetration of crime by ensuring a species of impunity to the perpetrator. As every individual, who had been admitted to the tonsure, whether he afterwards received holy orders or not, was entitled to the clerical privileges, we may concede that there were in these turbulent times many criminals among the clergy; but, if it were ever said that they had committed more than a hundred homicides within the last ten years, we may qualify our belief of the assertion, by recollecting the warmth of the two parties, and the exaggeration to which contests

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lated that no meaning can be extracted from it: and from a letter of archbishop Theobald, in which he says that during a dangerous illness, he had made a vow to abolish all the bad customs introduced in his days, and particularly that of second aids, which his brother the archdeacon had imposed on the church. It may be, that this archdeacon was Becket: but the letter has no date, and we are left in the dark as to the nature of the imposition, and the name of him who invented it. Bles. ep. 49.

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naturally give birth.[54] In the time of Theobald, Philip de Brois, a canon of Bedford,[55] had been arraigned before his bishop, convicted of man-slaughter, and condemned to make pecuniary compensation to the relations of the deceased. Long afterwards, Fitz-Peter, the royal justiciary, alluding to the same case, called him a murderer in the open court at Dunstable. A violent altercation ensued: and the irritation of Philip drew from him expressions of insult and contempt. The report was carried to the king, who deemed himself injured in the person of his officer, and ordered De Brois to be indicted for this new offence in the spiritual court. He was tried and condemned to be publicly whipt, to be deprived of the fruits of his benefice, and to be suspended from his functions during two years. It was hoped that the severity of the sentence would mitigate the king's anger: but Henry was implacable: he swore "by God's eyes" that they had favoured De Brois on account of his clerical character, and required the bishops to make oath that they had done justice between himself and the prisoner.[56]

1163. In this temper of mind he summoned them to

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[54] Newbrig. ii. 16. His testimony amounts only to this, that it was said, that some one had said so.

[55] Huic controversiæ præstitit occasionem Philippus de Broc. Diceto, 537.

[56] Diceto, ibid. Stephan. 32. Quadril. c. 17.

Westminster, and required their consent, that for the future, whenever a clergyman had been degraded for a public crime by the sentence of the spiritual judge, he should be immediately delivered into the custody of a lay officer to be punished by the sentence of a lay tribunal.[57] To this the bishops, as guardians of the rights of the church, objected. The proposal, they observed, went to place the English clergy on a worse footing than their brethen in any other christian country: it was repugnant to those liberties which the king had sworn to preserve at his coronation; and it violated the first principle of law, by requiring that the same individual should be tried twice and punished twice for one and the same offence.[58] Henry, who had probably anticipated the answer, immediately quitted the subject, and inquired whether they would promise to observe the ancient customs of the realm. The question was captious, as neither the number nor the tendency of these customs had been defined: and the archbishop with equal policy replied that he would observe them, "saving his order." The clause was admitted when the clergy swore fealty to the

[57] Diceto, 536.

[58] The words in which the king addressed the prelates, peto et volo ut tuo, Domine Cantuariensis, et coepiscoporum tuorum consilio (Stephan. 29), shew that he acknowledged the legal right of the clergy to the privilege, which he sought to abolish. It should be observed that after a clergyman had been degraded, he lost his privilege, and was amenable to the secular courts, if he offended again. Hoved. 282.

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sovereign: why should it be rejected, when they only promised the observance of customs? The king put the question separately to all the prelates, and, with the exception of the bishop of Chichester, received from each the same answer. His eyes flashed with indignation: they were leagued, he said, in a conspiracy against him: and in a burst of fury he rushed out of the apartment. The next morning the primate received an order to surrender the honour of Eye, and the castle of Berkhamsted: the king had departed by break of day.[59]

Becket promises to observe "the customs."

The original point in dispute was now merged in a more important controversy: for it was evident that under the name of "the customs" was meditated an attack not on one, but on most, of the clerical immunities. Of the duty of the prelates to oppose this innovation, no clergyman at that period entertained a doubt; but to determine how far that opposition might safely be carried, was a subject of uncertain discussion. The archbishop of York, who had been gained by the king, proposed to yield for the present, and to resume the contest under more favourable auspices: the undaunted spirit of Becket spurned the temporizing policy of his former rival, and urged the necessity of unanimous and persevering resistance. Every expedient was employed to subdue his resolution:

[59] Stephan. 29, 30. Quadril. 18, 19. Gervase, 1385.

and at length, wearied out by the representations of his friends and the threats of his enemies, the pretended advice of the pontiff, and the assurance that Henry would be content with the mere honour of victory, he waited on the king at Woodstock, and offered to make the promise, and omit the obnoxious clause. He was graciously received; and to bring the matter to an issue, a great council was summoned to meet at Clarendon after the Christmas holidays.[60]

Council of Clarendon. 1164. Jan. 25.

In this assembly John of Oxford, one of the royal chaplains, was appointed president by the king, who immediately called on the bishops to fulfil their promise. His angry manner and threatening tone revived the suspicions of the primate, who ventured to express a wish that the saving clause might still be admitted. At this request the indignation of the king was extreme: he threatened Becket with exile or death: the door of the next apartment was thrown open, and discovered a body of knights with their garments tucked up, and their swords drawn: the nobles and prelates besought the archbishop to relent: and two knights Templars on their knees conjured him to prevent by his acquiesence the massacre of all the bishops, which otherwise would most certainly ensue. Sacrificing his own judgment to their entreaties

[60] Quadril. 25. Hoved. 282. Grim .apud Sur. 357

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rather than their auguments, he promised in the word of truth to observe " the customs," and required of the king to be informed what they were. The reader will probably feel some surprise to learn that they were yet unknown: but a committee of inquiry was appointed; and the next day Richard de Lucy, and Joscelin de Baliol exhibited the sixteen constitutions of Clarendon. Three copies were made, each of which was subscribed by the king, the prelates, and thirty-seven barons. Henry then demanded that the bishops should affix their seals. After what had passed, it was a trifle neither worth the asking, nor the refusing. The primate replied that he had performed all that he had promised, and that he would do nothing more. His conduct on this trying occasion has been severely condemned for its duplicity. To me he appears more deserving of pity than censure. His was not the tergiversation of one who seeks to effect his object by fraud and deception: it was rather the hesitation of a mind oscillating between the decision of his own judgment and the opinions and apprehensions of others. His conviction seems to have remained unchanged: he yielded to avoid the charge of having by his obstinacy drawn destruction on the heads of his fellow bishops.[61]

[61] Stephan. 33—35. Quadril. 26, 27. Gervase, 1388. Lord Lyttelton has given a very different account of this transaction (iv. 24, 25), but he was deceived by the spurious letter attributed to Foliot.

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Constitutions of Clarendon.

After the vehemence with which the recognition of "the customs" was urged, and the importance which has been attached to them by modern writers, the reader will naturally expect some account of the constitutions of Clarendon. I shall therefore mention the principal. I. It was enacted that "the custody of every vacant "archbishopric, bishopric, abbey and priory of "royal foundation, ought to be given, and its "revenues paid, to the king; and that the elec- "tion of a new incumbent ought to be made in "consequence of the king's writ, by the chief "clergy of the church, assembled in the king's "chapel, with the assent of the king, and with "the advice of such prelates as the king may "call to his assistance." The custom recited in the first part of this constitution could not claim higher antiquity than the reign of William Rufus, by whom it was introduced. It had moreover been renounced after his death by all his successors, by Henry the first, by Stephen, and lastly by the present king himself.[62] On

[62] Henry I. in his charter says: sanctam Dei ecclesiam liberam concedo, ita quod nec eam vendam, nec ad firmam ponam, nec mortuo episcopo vel abbate aliquid accipiam de dominio ecclesiæ vel de hominibus. Ric. Hagul. 310. Stephen confirmed all the liberties of the church, and promised, quod defunctis episcopis nunquam retineret ecclesias in manu sua. Hunt. 221. Henry II. confirmed the privileges and liberties granted by Henry I. (Spel. ii. 51), and for greater solemnity subscribed the charter himself, and laid it on the altar. Epist. S. Thom. apud Hoved. He found, however, the custody of the vacant prelacies too profitable a custom to abandon it. It appears from the records of the exchequer that in

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what plea therefore it could be now confirmed as an ancient custom, it is difficult to comprehend.

II. By the second and seventh articles it was provided that in almost every suit civil or criminal, in which each or either party was a clergyman the proceedings should commence before the king's justices, who should determine whether the cause ought to be tried in the secular or episcopal courts: and that in the latter case a civil officer should be present to report the proceedings, and the defendant, if he were convicted in a criminal action, should lose his benefit of clergy.[63] This, however it might be called for by the exigencies of the times, ought not to have been termed an ancient custom. It was most certainly an innovation. It overturned the law, as it had invariably stood from the days of the conqueror, and did not restore the judicial process of the Anglo-Saxon dynasty.

III. It was ordered that "no tenant in chief "of the king, no officer of his household, or of "his demesne, should be excommunicated, or

his sixteenth year he had in his hands one archbishopric, five bishoprics, and three abbeys; in his nineteenth year one archbishopric, five bishoprics, and six abbeys; and in his thirty-first, one archbishopric, six bishoprics, and seven abbeys. Madox, 209—212.

[63] Hence may be understood an expression, which is very common in the statutes, "the benefit of clergy." Every clergyman, who was entitled to the benefit of privilege of his order, was exempt, even in criminal matters, from the jurisdiction of the secular courts.

"his lands put under an interdict, until appli-
"cation had been made to the king, or in his
"absence to the grand justiciary, who ought to
"take care that what belongs to the king's
"courts, shall be there determined, and what
"belongs to the ecclesiastical courts, shall be
"determined in them."—Sentences of excommunication had been greatly multiplied and abused during the middle ages. They were the principal weapons with which the clergy sought to protect themselves and their property from the cruelty and rapacity of the banditti in the service of the barons. They were feared by the most powerful and unprincipled: because at the same time that they excluded the culprit from the offices of religion, they also cut him off from the intercourse of society. Men were compelled to avoid the company of the excommunicated, unless they were willing to participate in his punishment. Hence much ingenuity was displayed in the discovery of expedients to restrain the exercise of this power: and it was contended that no tenant of the crown ought to be excommunicated without the king's permission, because it deprived the sovereign of the personal services which he had a right to demand of his vassal. This "custom" had been introduced by the conqueror: and though the clergy constantly reclaimed, had often been enforced by his successors. IV. The next was also a custom deriving its origin from the con-

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quest, that no archbishop, bishop, or dignified clergyman should lawfully go beyond the sea without the king's permission. Its object was to prevent complaints at the papal court, to the prejudice of the sovereign. V. It was enacted that appeals should proceed regularly from the archdeacon to the bishop, and from the bishop to the archbishop. If the archbishop failed to do justice, the cause ought to be carried before the king, that by his precept the suit might be terminated in the archbishop's court so as not to proceed farther without the king's consent.[64] Henry I. had endeavoured to prevent appeals from being carried before the pope, and it was supposed that the same was the object of the present constitution. The king, however, thought proper to deny it. According to the explanation which he gave, it prohibited clergymen from appealing to the pope in *civil* causes, only, when they might obtain justice in the royal courts.[65] The remaining articles are of minor importance. They confine pleas of debt and disputes respecting advowsons to the cognisance of the king's justices; declare that clergymen, who hold lands of the crown, hold by

[64] Blackstone in reciting this constitution has given it an erroneous meaning by the omission of the clause, ut præcepto ipsius (regis) in curia archiepiscopi controversia terminetur. Comment. iii. 5. [65] Id sibi vindicat rex ut ob *civilem* causam nullus clericorum regni fines exeat, &c.—If he could not obtain justice in the king's court, ad excellentiam vestram, ipso in nullo reclamante, cum volet, quilibet appellabit. Ep. S. Thom. i. 38. Also, ii. 11.

barony, and are bound to the same services as the lay barons; and forbid the bishops to admit to orders the sons of villeins, without the licence of their respective lords.[66]

Becket repents of his assent.

As the primate retired, he meditated in silence on his conduct in the council. His scruples revived: and the spontaneous censures of his attendants added to the poignancy of his feelings. In great agony of mind he reached Canterbury, where he condemned his late weakness, interdicted himself from the exercise of his functions, wrote to Alexander a full account of the transaction, and solicited absolution from that pontiff. It was believed that, if he had submitted with cheerfulness at Clarendon, he would have recovered his former ascendency over the royal mind: but his tardy assent did not allay the indignation which his opposition had kindled, and his subsequent repentance for that assent closed the door to forgiveness. Henry had flattered himself with the hope that he should be able to extort the approbation of "the customs" either from the gratitude of Alexander, whom he had assisted in his necessities, or from the fears of that pontiff, lest a refusal might add England to the nations which acknowledged the antipope. The firmness of the pope defeated all his schemes: and the king in his anger vowed to be revenged on the archbishop.

[66] See two different copies of the constitutions in Wilkins, Leg. Sax. 321—324.

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Among his advisers there were some, who sought to goad him on to extremities. They scattered unfounded reports: they attributed to Becket a design of becoming independent: they accused him of using language the most likely to wound the vanity of the monarch. He was reported to have said to his confidants, that the youth of Henry required a master: that the violence of his passions must, and might easily be tamed: and that he knew how necessary he himself was to a king, incapable of guiding the reins of government without his assistance. It was not that these men were in reality friends to Henry. They are said to have been equally enemies to him and to the church. They sighed after the licentiousness of the last reign, of which they had been deprived, and sought to provoke a contest, in which whatever party should succeed, they would have to rejoice over the defeat either of the clergy whom they considered as rivals, or of the king whom they hated as their oppressor.[67]

Is prosecuted at the council of Northampton.

The ruin of a single bishop was now the principal object that occupied and perplexed the mind of this mighty monarch. By the advice of his counsellers it was resolved to waive the controversy respecting "the customs," and to fight with those more powerful weapons, which

[67] See on this subject much curious matter in a confidential letter from Arnulph, bishop of Lisieux, a prelate well acquainted with the intrigues of Henry's court. Ep. S. Thom. i. 85.

the feudal jurisprudence always offered to the choice of a vindictive sovereign. A succession of charges was prepared, and the primate was cited to a great council in the town of Northampton. With a misboding heart he obeyed the summons: the king's refusal to accept from him the kiss of peace, admonished him of his danger. At the opening of the council John of Oxford presided: Henry exercised the office of prosecutor. The first charge regarded some act of comtempt against the king, supposed to have been committed by Becket in his judicial capacity. The archbishop offered a plea in excuse: but Henry swore that justice should be done him; and the obsequious court condemned Becket to the forfeiture of his goods and chattels, a penalty which was immediately commuted for a fine of five hundred pounds.[68] The next morning the king required him to refund three hundred pounds, the rents which he had received as warden of Eye and Berkhamsted. Becket coolly replied that he would pay it. More, indeed, had been expended by him in the repairs: but money should never prove a cause of dissension between himself and his sovereign.

Oct. 13.

Oct. 14.

[68] The legal expression of "being at the king's mercy," has been already explained to denote the forfeiture of all personal property, unless the king chose to accept a smaller fine. But custom had in every county fixed the amount of this fine; and Fitz-Stephen complains that the archbishop was compelled to pay 500*l.* instead of forty shillings, the customary commutation in Kent. In London it amounted to one hundred shillings. Steph. 42.

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Another demand followed of five hundred pounds received by the chancellor before the walls of Toulouse. It was in vain that the archbishop described the transaction as a gift. Henry maintained that it was a loan: and the court, on the principle that the word of the sovereign was preferable to that of a subject, compelled him to give security for the repayment of the money. The third day the king required an account of all the receipts from vacant abbeys and bishoprics which had come into the hands of Becket during his chancellorship, and estimtaed the balance due to the crown at the sum of forty-four thousand marks. At the mention of this enormous demand the archbishop stood aghast. However, recovering himself he replied, that he was not bound to answer: that at his consecration, both prince Henry and the earl of Leicester, the justiciary, had publicly released him by the royal command from all similar claims: and that on a demand so unexpected and important he had a right to require the advice of his fellow bishops.[69]

Oct. 15.

Appeals to the pope.

Had the primate been ignorant of the king's object, it was sufficiently disclosed in the conference which followed between him and the bishops. Foliot, with the prelates who enjoyed the royal confidence, exhorted him to resign: Henry of Winchester alone had the courage to

[69] Stephan. 35—38, Quadril. 25, 26. Epist. S. Thom. ii. 6. 33.

reprobate this interested advice. On his return to his lodgings the anxiety of Becket's mind brought on an indisposition which confined him to his chamber: and during the two next days he had leisure to arrange plans for his subsequent conduct. The first idea which suggested itself, was a bold, and what perhaps might have proved a successful, appeal to the royal pity. He proposed to go barefoot to the palace, to throw himself at the feet of the king, and to conjure him by their former friendship to consent to a reconciliation.[70] But he afterwards adopted another resolution, to decline the authority of the court, and trust for protection to the sacredness of his character. In the morning, having previously celebrated the mass of St. Stephen the first martyr, he proceeded to court, arrayed as he was in the pontifical robes, and bearing in his hand the archiepiscopal cross. As he entered, the king with the barons retired into a neighbouring apartment, and was soon after followed by the bishops. The primate, left alone with his clerks in the spacious hall, seated himself on a bench, and with calm and intrepid dignity awaited their decision. The council chamber was a scene of noise and confusion. The courtiers, to please the prince, strove to distinguish themselves by the intemperance of their language. Henry, in the ve-

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[70] Stephan. 40.

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hemence of his passion, inveighed, one while against the insolence of Becket, at another against the pusillanimity and ingratitude of his favourites: till even the most active of the prelates, who had raised the storm, began to view with horror the probable consequences. Roger of York contrived to retire; and as he passed through the hall, bade his clerks follow him, that they might not witness the effusion of blood. Next came the bishop of Exeter, who threw himself at the feet of the primate, and besought him to have pity on himself, and the episcopal order: for the king had threatened with death the first man who should speak in his favour. "Flee then," he replied, "thou "canst not understand the things that are of "God." Soon afterwards appeared the rest of the bishops. Hilary of Chichester spoke in their name. "You were," he said, "our pri- "mate: but by opposing the royal customs, "you have broken your oath of fealty to the "king. A perjured archbishop has no right to "our obedience. From you then we appeal to "the pope, and summon you to answer us be- "fore him."—"I hear," was his only reply.

The bishops seated themselves along the opposite side of the hall, and a solemn silence ensued. At length the door opened, and the earl of Leicester at the head of the barons bade him hear his sentence. "My sentence," interrupted the archbishop, "son and earl, hear

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" me first. You know with what fidelity I " served the king, how reluctantly, to please " him, I accepted my present office, and in what " manner I was declared by him free from all " secular claims. For what happened before " my consecration, I ought not to answer, nor " will I. Know moreover that you are my " children in God. Neither law nor reason " allows you to judge your father. I therefore " decline your tribunal, and refer my quarrel " to the decision of the pope. To him I ap- " peal: and shall now, under the protection of " the catholic church, and the apostolic see, " depart." As he walked along the hall, some of the courtiers threw at him knots of straw, which they took from the floor. A voice called him traitor. At the word he stopped: and hastily turning round, rejoined: " Were it not " that my order forbids me, that coward should " repent of his insolence." At the gate he was received with acclamations of joy by the clergy and people and was conducted in triumph to his lodgings.[71]

Escapes to France.

It was generally believed that if the archbishop had remained at Northampton, that night would have proved his last. Alarmed by fre-

[71] Steph. 41—47. Grim, 358. Gervase, 1389—1393. Diceto, who was present (Steph. 41), says that the archbishop's plea of having been dismissed free from all secular obligations, was not admitted, because he could not prove that the king had authorized the justiciary to make such a declaration. Diceto, 537.

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quents hints from his friends, he petitioned to retire beyond the sea, and was told that he might expect an answer the following morning. This unnecessary delay increased his apprehensions. To deceive the vigilance of the spies that beset him, he ordered a bed to be prepared in the church, and in the dusk of the evening, accompanied by two clerks and a servant on foot, escaped by the north gate. After fifteen days of perils and adventures, brother Christian (that was the name he assumed) landed at Gravelines in Flanders. His first visit was paid to the king of France, who received him with marks of veneration: his second to Alexander, who kept his court in the city of Sens. He had been preceded by a magnificent embassy of English prelates and barons, who had endeavoured in vain to prejudice the pontiff against him, though by the distribution of presents they had purchased advocates in the college of cardinals. Alexander at his request condemned ten of the constitutions of Clarendon, recommended him to the care of the abbot of Pontigny, and exhorted him to bear with resignation the hardships of exile. When Thomas thought proper to surrender his bishopric into the hands of the pope, his resignation was hailed by a part of the consistory as the readiest means of terminating a vexatious and dangerous controversy: but Alexander preferred honour to convenience, and refusing to abandon

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a prelate, who had sacrificed the friendship of a king for the interest of the church, re-invested him with the archiepiscopal dignity.[72] CHAP. V.

The attention of the king had long been absorbed by the quarrel between him and the primate: an unimportant dispute with Louis of France now led him into Normandy, whence he was hastily recalled by a general rising of the natives of Wales. Nor was this the first time he had been reduced to the hazardous experiment of leading an army into that mountainous country. Soon after his accession the Welsh ventured to renew those depredations, which they had exercised with impunity under the reign of Stephen: and to his demand of satisfaction had returned a contemptuous refusal.[73] As he entered Flintshire, Owen Gwynned and Rees ap Gryffith, the princes of North and South Wales, conscious of their inferiority, retired to the wood of Coleshil, and awaited in concealment the approach of the invaders. While the army, ignorant of the danger, was incautiously threading the defile, the natives with hideous shouts poured down from the mountains: Eustace Fitz-John and Roger de Courcy fell at the first shock: a voice exclaimed that Henry was slain: the earl of Essex threw Wars in Wales. 1157.

[72] Gervase, 1397, 1398. [73] For this expedition he required every two knights to find a third. Mat. Paris, 81. Similar writs occur under other kings, and appear to me to have been issued, when the king did not require the service of all his military tenants.

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down the royal standard:[74] and it was not without great personal danger that the king could arrest the speed of the fugitives, and restore order in the army. He forced his way through the pass: but, taught by this lesson, when Gwynned endeavoured to draw him towards Snowdun, he turned to the right, and cautiously advanced along the coast in the sight of his fleet. For some weeks he employed the army in ravaging the country, opening roads through the forests, and erecting castles in commanding situations: and the war, though distinguished by no splendid action, was successfully terminated by the homage of the two princes, and the surrender of hostages for their fidelity.[75] But under the mask of submission they still cherished projects of independence, and by predatory incursions kept alive the spirit of their subjects. This untractable disposition was severely chastised in 1163, when an English army spread desolation over the county of Carmarthen:[76] but the subsequent absence of Henry in Normandy encouraged the Welsh princes to make use of the first opportunity to awaken

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[74] He was hereditary standard-bearer. Six years afterwards he was accused by Robert de Montfort of cowardice and treason on this occasion. He fought his accuser and was conquered. By law he should have been put to death: but the king granted him his life, confiscated his property, and compelled him to wear the cowl among the monks of Reading. Diceto, 535.

[75] Newbrig. ii. 5. Gervase, 1380. Girald. Itin. i. 10. Powel, ad ann. 1157.

[76] Girald. Itin. ii. 10.

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the hatred and resentment of their countrymen. A nephew of Gryffith was found dead in his bed. The uncle, pretending that he had been assassinated by men in the pay of the earl of Pembroke, unexpectedly burst into Cardiganshire, and reduced all the English fortresses. The flame of insurrection spread throughout Wales. The men of the south gathered round the 1164. standard of Gryffith: those of the north crowded to that of Gwynned: and the warriors of Powisland assembled at the voice of Owen Cyvelioch. The borders were immediately overrun: but so rapid were the movements of the Welshmen, that generally, before assistance could arrive, the storm had passed away, and left only the marks of its ravages. Henry hastened from Normandy, and encamped with an army of English and foreigners at Oswestry: the Welsh in equal force assembled at Corwen in Merionethshire. A general action, the result of accident, was fought on the banks of the Cieroc. The insurgents lost the battle, and the invaders reached the lofty mountain of Berwin. The king encamped at its foot: and on its summit hovered a cloud of natives ready to burst on the heads of their enemies. But the elements terminated the war. Incessant storms of rain deluged the valley: and the army, abandoning its baggage, escaped with difficulty to the city of Chester. To console himself for this disgrace, Henry exercised his ven-

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geance on his numerous hostages, the children of the noblest families in Wales, among whom were Cynwric and Meredith, the sons of Gryffith, Rhees and Cadwallo, the sons of Gwynned. By his orders the eyes of all the males were rooted out, and the ears and noses of the females were amputated. Having thus satiated himself with blood, and covered himself with infamy, on a sudden, and without any ostensible reason, he disbanded his army, and returned to London. When this result of the expedition was communicated to the archbishop in his exile, he exclaimed in the words of scripture: *His wise men are become fools: the Lord hath sent among them a spirit of giddiness: they have made England to reel and stagger like a drunken man.*[77]

Acquisition of Bretagne.

Henry was, however, more fortunate in the cabinet than he had been in the field, and by a successful negotiation added to his dominions the extensive province of Bretagne. The right to the dutchy, which had long been divided among different branches of the same family, now centred in the person of Conan, earl of Richmond: but that prince, of an indolent and peaceful disposition, found himself unable to repress the ferocity of the barons, who had

[77] Newbrig. ii. 17. Girald. Itin. 10. 12. St. Thom. ep. i. 40. Powel, ad ann. 1166. Hoved. 286. John of Salisbury also expresses his surprise, that the extremos hominum Britones nivicolinos should have been victorious. Ep. i. 139.

long maintained a real independence, and by their mutual wars, impoverished their vassals, and laid desolate the country. It did not require much effort to induce Conan to descend from a situation, to which he was evidently unequal. He transferred, with the exception of the county of Guingamp, all his possessions and rights to his daughter and heiress Constantia: an "imaginary" marriage was concluded between the princess and Geoffry, the third son of the English monarch;[78] and Henry was appointed the guardian of the two children during their minority. In this capacity he assumed the reins of government; levelled the castles, and broke the spirit, of the refractory barons; and restored to the people the blessings of tranquillity, and the administration of justice.[79]

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1166.

Amidst these transactions the eyes of the king were still fixed on the exile at Pontigny, and by his order the punishment of treason was denounced against any person, who should presume to bring into England letters of excommunication or interdict from either the

Banishment of the friends of Becket.

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[78] Imaginario connubio. Chron. Norm. 1000.

[79] Chron. Norm. ibid. Newbrig. ii. 13. Matilda died at Rouen the next year, on the 10th of September. She had spent her last years in works of charity. The following epitaph was engraven on her tomb:

Ortu magna, viro major, sed maxima partu,
Hic jacet Henrici filia, sponsa, parens.

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pontiff or the archbishop. He confiscated the estates of that prelate, commanded his name to be erased from the liturgy, and seized the revenues of every clergyman who had followed him into France, or had sent him pecuniary assistance.[80] By a refinement of vengeance, he involved all who were connected with him either by blood or friendship, and with them their families without distinction of rank, or age, or sex, in one promiscuous sentence of banishment. Neither men, bowing under the weight of years, nor infants, still hanging at the breast, were excepted. The list of proscription was swelled with four hundred names; and the misfortune of the sufferers was aggravated by the obligation of an oath to visit the archbishop, and importune him with the history of their wrongs. Day after day crowds of exiles besieged the door of his cell at Pontigny. His heart was wrung with anguish: he implored the compassion of his friends; and enjoyed at last the satisfaction of knowing that the wants of these blameless victims had been amply relieved by the benefactions of the king of France, the queen of Sicily, and the pope.[81] Still Henry's resentment was insatiable. Pontigny belonged to the Cistercians: and he in-

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[80] Epist. S. Thom. i. 14, 15, 16. 23. Hoved. 284.

[81] Epist. S. Thom. i. 48. 57, 58. iii. 79. Gerv. 1398. Wilk. con. i. 462.

formed them, that if they continued to afford an asylum to the traitor, not one of their order should be permitted to remain within his dominions. The archbishop was compelled to quit his retreat: but Louis immediately offered him the city of Sens for his residence.[82] CHAP. V.

Here, as he had done at Pontigny, Becket led the solitary and mortified life of a recluse. Withdrawing himself from company and amusements, he divided the whole of his time between prayer and reading.[83] His choice of books was determined by a reference to the circumstances in which he was placed: and in the canon law, the histories of the martyrs, and the holy scriptures, he sought for advice and consolation. On a mind naturally firm and unbending such studies were likely to make a powerful impression: and his friends, dreading the consequences, endeavoured to divert his attention to other objects.[84] But their remonstrances were fruitless. Gradually his opinions became tinged with enthusiasm: he identified his cause with that of God and the church: concession appeared to him like apostacy; and his resolution was fixed to bear every privation, and to sacrifice, if it was necessary, even his

The primate excommunicates his enemies.

[82] Ep. i. 129. 138, 139. Gerv. 1400, 1401. Hoved. 286.

[83] Gerv. 1400. Stephan. 52. Grim. apud Sur. 359.

[84] Prosunt quidem canones et leges, sed mihi credite, quia nunc non erat his locus. Ep. Joan. Salis. inter ep. S. Thom i. 31. See also ii. 10, 11. 19, 20. 25.

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own life in so sacred a contest. The violence of Henry nourished and strengthened these sentiments: and at last, urged by the cries of the sufferers, the archbishop assumed a bolder tone, which terrified his enemies, and compelled the court of Rome to come forward to his support. By a sentence, promulgated with more than the usual solemnity, he cut off from the society of the faithful, such of the royal ministers as had communicated with the antipope, those who had framed the constitutions of Clarendon, and all who had invaded the property of the church.[85] At the same time he confirmed by frequent letters the wavering mind of the pontiff,[86] checked by his remonstrances the opposition of the cardinals who had been gained by his adversaries; and intimated to Henry, in strong but affectionate language, the punishment which awaited his impenitence.[87]

June, 1166.

Henry's precautions.

This mighty monarch, the lord of so many nations, while he affected to despise, secretly dreaded, the spiritual arms of his victim. The strictest orders were issued that every passenger from beyond the sea should be searched; that all letters from the pope or the archbishop should be seized; that the bearers should suffer the most severe and shameful punishments; and that all freemen, in the courts to which they

[85] Ep. i. 96. 138. 140. Gerv. 1400. Hov. 290.
[86] Ep. ii. 45, 46, 47. iv. 14. 19, 20. Hoved. 285;
[87] Ep. i. 65, 66. Gervase, 1400.

owed service, should promise upon oath not to obey any censure published by ecclesiastical authority against the king of the kingdom.[88] But it was for his continental dominions that he felt chiefly alarmed. There the great barons, who hated his government, would gladly embrace the opportunity to revolt; and the king of France, his natural opponent, would instantly lend them his aid against the enemy of the church. Hence for some years the principal object of his policy was to avert, or at least to delay, the blow which he so much dreaded. CHAP. V.

As long as the pope was a fugitive in France, dependant on the bounty of his adherents, the king had hoped that his necessities would compel him to abandon the primate. But the antipope was now dead: and though the emperor had raised up a second in the person of Guido of Crema, Alexander had returned to Italy, and recovered possession of Rome. Henry therefore resolved to try the influence of terror, by threatening to espouse the cause of Guido. He even opened a correspondence with the emperor: and in a general diet at Wurtzburgh his ambassadors made oath in the name of their master, that he would reject Alexander, and obey the authority of his rival. Of this fact there cannot be a doubt. It was announced to the German nations by an imperial edict: and He sends envoys to Wurtzburgh.

[88] Gervase, 1409. Hoved. 295.

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is attested by an eye-witness, who from the council wrote to the pope a full account of the transaction. Henry, however, soon repented of his precipitancy.[89] His bishops refused to disgrace themselves by transferring their obedience at the nod of their prince: and he was unwilling to involve himself in a new and apparently a hopeless quarrel. To disguise or excuse his conduct he disavowed the act, attributed it to his envoys, and afterwards induced them also to deny it.[90] John of Oxford was dispatched to Rome, who, in the presence of Alexander, swore that at Wurtzburgh he had done nothing contrary to the faith of the church, or to the honour and service of the pontiff.[91]

And appeals to the pope.

His next expedient was one, which had been prohibited by the constitutions of Clarendon. He repeatedly authorized his bishops to appeal in their name and his own from the judgment of the archbishop to that of the pope. By this means the authority of that prelate was provisionally suspended: and though his friends maintained that these appeals were not vested with the conditions required by the canons, they were always admitted by Alexander.[92] The king improved the delay to purchase friends. By the pontiff his presents were indignantly refused: they were accepted by some of the cardinals,

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[89] Epist. S. Thom. i. 70. 72. [90] Ep. i. 69. 102. ii. 41.

[91] Ep. i. 166. ii. 7. 97. [92] Ep. i. 126. 128. ii. 33. John of Salisbury is very severe on these appeals, i. 140. 166.

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by the free states in Italy, and by several princes and barons supposed to possess influence in the papal councils.[93] On some occasions Henry threw himself and his cause on the equity of Alexander: at others he demanded and obtained legates to decide the controversy in France. Twice he condescended to receive the primate, and to confer with him on the subject. To avoid altercation it was agreed that no mention should be made of "the customs:" but each mistrusted the other: Henry was willing to preserve the liberties of the church "saving the dignity of his crown:" the archbishop was equally willing to obey the king, "saving the dignity of the church."[94] In the second conference these cautionary clauses were omitted: the terms were satisfactorily adjusted: and the primate, as he was about to depart, requested of his sovereign the kiss of peace. It was the usual termination of such discussions, the bond by which the contending parties sealed their reconciliation.[95] But Henry coldly replied that he had formerly sworn never to give it him: and that he was unwilling to incur the guilt of perjury. So flimsy an evasion could deceive no

Nov. 1169.

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[93] Ep. ii. 21. 32. 54. iii. 78, 79.

[94] Ep. iii. 6. 12. iv. 5, 6. 8. Gervase, 1405. Hoved. 285.

[95] Ep. v. 12. In this epistle several instances are mentioned of the insecurity attending a reconciliation with Henry, unless he gave the kiss of peace. The king had been reconciled to many at the request of Louis, and yet persecuted them afterwards. Ibid.

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one: and the primate departed in the full conviction that no reliance could be placed on the king's sincerity.[96]

A quarrel with the king of France.

Henry had now spent several years in France. His presence had been necessary to overawe the turbulence of his continental barons, who, on every frivolous pretext, were eager to defy his authority, and appealed, according to the forms of the feudal jurisdiction, to the protection of their superior lord the king of France. Nor was Louis slow to aid the petitioners, that he might mortify the pride of his vassal. Hence each year hostilities were commenced, continued for a few weeks, and then suspended by truces equally short in duration. But in the beginning of 1169 a peace was finally concluded between the two monarchs. Henry consented to yield Anjou and Maine to his eldest, and Aquitaine to his second, son. The former had already espoused one, the latter was now affianced to another, of the daughters of Louis: and it was stipulated that each should hold his dominions immediately from his father-in-law.[97] It is difficult to conceive what could have extorted from the king a treaty so prejudicial to his interests. Probably, as he never complied with the conditions, it was no better than one of those dishonest frauds, to which he so frequently de-

1169. Jan. 6.

[96] Ep. iii. 60, 61, 62, 63. Gervase, 1408.

[97] Epist. S. Thom. ii. 66.

scended in the pursuit of some temporary advantage.

Coronation of the king's son.

He had now another object in view, the coronation of his son Henry, a measure the policy of which has been amply but unsatisfactorily discussed by modern historians. The performance of the ceremony belonged of right to the archbishop of Canterbury;[98] and Becket had obtained from the pope a letter forbidding any of the English bishops to usurp an office which was the privilege of his see.[99] But it was impossible for him to transmit this prohibition to those to whom it was addressed: and his enemies, to remove the scruples of the prelates, exhibited a pretended letter from the pontiff empowering the archbishop of York to crown the prince.[100] He was knighted early in the morning: the coronation was performed with the usual solemnities in Westminster abbey: and at table the king waited on his son with his own hands. Why the wife of the prince was not crowned with her husband we are not informed: but Louis took to himself the insult offered to his daughter: and entered the borders of Normandy with his army. Henry hastened to defend his dominions: the two monarchs had a private conference: the former treaty

1170. June 15.

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[98] Eadmer, p. 56. [99] Epist. S. Thom. 42. v. 34. Wilk. Con. i. 459. [100] Lord Lyttelton was deceived by this letter: Mr. Berington has shewn that it was a forgery. App. iii.

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was renewed; and a promise was given of an immediate reconciliation with the primate.[101]

The king and primate are reconciled.

Every attempt to undermine the integrity of the pontiff had now failed: and Henry saw with alarm that the thunder, which he had so long feared, was about to burst on his dominions. A plan of adjustment had been arranged between his envoys and Alexander; and to defeat the chicanery of his advisers, it was accompanied with the threat of an interdict, if it were not executed within the space of forty days. He consented to see the archbishop, and awaited his arrival in a spacious meadow near the town

July 22. of Freitville on the borders of Touraine.[102] As soon as Becket appeared, the king spurring forward his horse, with his cap in his hand, prevented his salutation; and, as if no dissension had ever divided them, discoursed with him

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[101] Gervase, 1412. Hoved. 296. [102] The persons, who had been commissioned to solicit the interview from Henry, were the archbishop of Rouen and the bishop of Nevers. I shall transcribe from the instructions given to them by Becket, the character of the king as drawn by one who knew him so well, and whose interest it was not to misrepresent him to these commissioners. Quia multiplices illius prodigii fucos non est facile deprehendere, quidquid dicat, quamcumque figuram induat, tamen omnia ejus vobis suspecta sint, et fallaciæ plena credantur, nisi quorum fidem manifesta operis exhibitio comprobabit. Si senserit quod vos aut promissis corrumpere valeat, aut minis deterrere, ut aliquid obtineat contra honestatem vestram et causæ indemnitatem, illico vestra apud eum prorsus evanesceet auctoritas . . . . Sin autem viderit, quod vos a proposito flectere nequeat, furorem simulabit. Imprimis jurabit, et degerabit: ut Proteus mutabitur, et tandem revertetur in se. Epist. S. Thom. v. 21.

apart, with all that easy familiarity which had distinguished their former friendship. In the course of their conversation, Henry exclaimed: "As for the men who have betrayed both you "and me, I will make them such return, as the "deserts of traitors require." At these words the archbishop descended from his horse, and threw himself at the feet of his sovereign: but the king laid hold of the stirrup, and insisted that he should remount, saying: "In short, "my lord archbishop, let us renew our ancient "affection for each other; only shew me honour "before those, who are now viewing our beha-"viour." Then returning to his attendants, he observed: "I find the archbishop in the best "dispositions towards me: were I otherwise "towards him, I should be the worst of men." Becket followed him, and by the mouth of the archbishop of Sens presented his petition. He prayed that the king would graciously admit him to the royal favour, would grant peace and security to him and his, would restore the possessions of the see of Canterbury, and would, in his mercy, make amends to that church for the injury it had sustained in the late coronation of his son. In return he promised him love, honour, and every service, which an archbishop could render in the Lord to his king and his sovereign. To these demands Henry assented: they again conversed apart for a considerable time: and at their separation it was mutually

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understood that the archbishop, after he had arranged his affairs in France, should return to the court, and remain there for some days, that the public might be convinced of the renewal and solidity of their friendship.[103]

Becket returns to England.

If Henry felt as he pretended, his conduct in this interview will deserve the praise of magnanimity: but his skill in the art of dissimulation may fairly justify a suspicion of his sincerity. The man, who that very morning had again bound himself by oath in the presence of his courtiers to refuse the kiss of peace, could not be animated with very friendly sentiments towards the archbishop:[104] and the mind of that prelate, though his hopes suggested brighter prospects, was still darkened with doubt and perplexity.[105] Months were suffered to elapse before the royal engagements were executed: and when at last, with the terrors of another interdict hanging over his head, the king restored the archiepiscopal lands, the rents had been previously levied, the corn and cattle had been carried off, and the buildings were left in the most dilapidated state.[106] The remonstrances of the primate and his two visits to the

Nov. 12.

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[103] Ep. v. 45.

[104] Jurasse ea die quod non erat nos osculo excepturus. Ibid.

[105] Ibid.

[106] Quadril. iii. 3. Ep. v. 31. 53. The king, though reconciled to the archbishop on the 22d of July, levied the rents till the 12th of November. Wilk. con. i. 465. John of Salisbury says till Christmas, ep. 280.

court obtained nothing but deceitful promises: his enemies publicly threatened his life: and his friends harassed him with the most gloomy presages: yet, as the road was at last open, he resolved to return to his diocese, and at his departure wrote to the king an eloquent and affecting letter. "It was my wish," he concludes, "to have waited on you once more: but necessity compels me, in the lowly state to which "I am reduced, to revisit my afflicted church. "I go, Sir, with your permission, perhaps to "perish for its security, unless you protect me. "But whether I live, or die, yours I am, and "yours I shall ever be in the Lord. Whatever "may befal me or mine, may the blessing "of God rest on you and your children." [107] Henry had promised him money to pay his debts, and defray the expenses of his journey. Having waited for it in vain, he borrowed three hundred pounds of the archbishop of Rouen, and set out in the company, or rather in the custody, of his ancient enemy, John of Oxford. CHAP. V.

Alexander, before he heard of the reconciliation at Freitville, had issued letters of suspension or excommunication against the bishops, who had officiated at the late coronation: he had afterwards renewed them against Roger of Sep. 16.

[107] Ep. v. 54.

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York,[108] Gilbert of London, and Joscelin of Salisbury, to whose misrepresentations was attributed the delay of the king to fulfil his engagements. For the sake of peace the archbishop had wisely resolved to suppress these letters: but the three prelates, who knew that he carried them about him, had assembled at Canterbury, and sent to the coast Ranulf de Broc, with a party of soldiers, to search him on his landing, and take them from him. Information of the design reached him at Witsand: and in a moment of irritation, he dispatched them before himself by a trusty messenger, by whom, or by whose means, they were publicly delivered to the bishops in the presence of their attendants.[109] It was a precipitate and unfortunate measure, and probably the occasion of the catastrophe which followed.[110] The prelates, caught in their own snare, burst into loud complaints against his love of power and thirst of revenge:

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[108] From attachment to the cause of his patron, John of Salisbury was the enemy of Roger: yet if one half of what he says respecting the archbishop of York be true, that prelate richly deserved the title which he gives him, of Archidiabolus. See Ep. S. Thom. v. 91.

[109] Ep. v. 73. Wilk. Con. i. 465.

[110] On this subject William of Newburgh, a contemporary, makes the following sensible reflection: Nostræ parvitati nequaquam conceditur de tanti viri actibus temere judicare. Puto tamen quod beattissimus papa Gregorius, in molli adhuc teneraque regis concordia mitius egisset, et ea, quæ sine fidei christianæ periculo tolerari potuissent, ratione temporis et compositione pacis dissimulanda duxisset. Gul. Newbrig. ii. 25.

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they accused him to the young king of violating the royal privileges, and wishing to tear the crown from his head; and they hastened to Normandy to demand redress from the justice or the resentment of Henry.

Dec. 3.

Under the protection of his conductor the primate reached Canterbury, where he was joyfully received by the clergy and people. Thence he prepared to visit Woodstock, the residence of the young Henry, to pay his respects to the prince, and to justify his late conduct. But the courtiers, who dreaded his influence over the mind of his former pupil, procured a peremptory order for him to return, and confine himself to his own diocese. He obeyed, and spent the following days in prayer and the functions of his station. Yet they were days of distress and anxiety. The menaces of his enemies seemed to derive importance from each succeeding event. His provisions were hourly intercepted: his property was plundered: his servants were beaten and insulted. On Christmas day he ascended the pulpit: his sermon was distinguished by the earnestness and animation with which he spoke: at the conclusion he observed that those who thirsted for his blood, would soon be satisfied, but that he would first avenge the wrongs of his church by excommunicating Ranulf and Robert de Broc, who for seven years had not ceased to inflict every injury in their

Dec. 15.

CHAP. V.

power on him, on his clergy, and on his monks.[111] On the following Tuesday arrived secretly in the neighbourhood four knights, Reginald Fitzurse, William Tracy, Hugh de Moreville, and Richard Brito. They had been present in Normandy, when the king, irritated by the representations of the three bishops, had exclaimed: "Of the cowards who eat my bread, is there "not one, who will free me from this turbulent "priest?" and mistaking this passionate expression for the royal licence, had bound themselves by oath to return to England, and either carry off or murder the primate. They assembled at Saltwood, the residence of the Brocs, to arrange their operations.[112]

Dec. 28. Preparation of his enemies.

Dec. 29. The next day about two in the afternoon, the knights abruptly entered the archbishop's apartment, and neglecting his salutation, seated themselves on the floor. It seems to have been their wish to begin by intimidation: but if they hoped to succeed, they knew little of the intrepid spirit of their opponent. Pretending to have received their commission from Henry, they ordered the primate to absolve the excommunicated prelates. He replied with firmness, and occasionally with warmth, that if he had

[111] Steph. 76, 77. Quadril. iii. 10. Excommunicavit unum ex ministris regiis propter facinus quoddam et cæsos ministros suos, itemque Randulphum hominem scelestum totius malitiæ incentorem. Grim, 361.

[112] Gervase, 1414.

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published the papal letters, it was with the royal permission: that the case of the archbishop of York had been reserved to the pontiff: but that he was willing to absolve the others on condition that they previously took the accustomed oath of submitting to the determination of the church. It was singular that of the four knights, three had, in the days of his prosperity, spontaneously sworn fealty to him.[113] Alluding to this circumstance, he said as they were quitting the room, "Knowing what formerly passed between "us, I am surprised you should come to threaten "me in my own house."—"We will do more "than threaten," was their reply.

Assassination of the archbishop.

When they were gone, his attendants loudly expressed their alarm: he alone remained cool and collected, and neither in his tone or gesture betrayed the slightest symptom of apprehension. In this moment of suspense the voices of the monks singing vespers in the choir struck their ears; and it occurred to some one that the church was a place of greater security than the palace. The archbishop, though he hesitated, was borne along by the pious importunity of his friends: but when he heard the gates close behind him, he instantly ordered them to be re-opened, saying, that the temple of God was not to be fortified like a castle. He had passed through the north transept, and was ascending

[113] Stephan. 33. Gervase, 1415.

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the steps of the choir, when the knights with twelve companions, all in complete armour, burst into the church. As it was almost dark, he might, if he had pleased, have concealed himself among the crypts, or under the roof: but he turned to meet them, followed by Edward Grim, his cross-bearer, the only one of his attendants, who had not fled. To the vociferations of Hugh of Horsea, a military subdeacon, "Where is the traitor?" no answer was returned: but when Fitzurse asked, "Where is "the archbishop?" he replied: "Here I am, "the archbishop, but no traitor. Reginald, I "have granted thee many favours. What is "thy object now? If you seek my life, I com- "mand you in the name of God not to touch "one of my people." When he was told that he must instantly absolve the bishops, he answered, "Till they offer satisfaction, I will not." —"Then die!" exclaimed the assassin, aiming a blow at his head. Grim interposed his arm, which was broken, but the force of the stroke bore away the primate's cap, and wounded him on the crown.[114] As he felt the blood trickling down his face, he joined his hands, and bowed his head, saying: "In the name of Christ and "for the defence of his church I am ready to "die." In this posture, turned towards his

[114] Ut pariter præcideret brachium isthæc referentis, qui solus, cunctis præ metu fugientibus, ei adhæsit, et inter ulnas eum continuit, donec altera earum amputata est. Grim, 362.

murderers, without a groan and without a motion, he awaited a second stroke which threw him on his knees: the third laid him on the floor at the foot of St. Bennet's altar. The upper part of his scull was broken in pieces: and Hugh of Horsea planting his foot on the archbishop's neck, with the point of his sword drew out the brains, and strewed them over the pavement.[115]

Thus, at the age of fifty-three, perished this extraordinary man, a martyr to what he deemed to be his duty, the preservation of the immunities of the church. The moment of his death was the triumph of his cause. His personal virtues and exalted station, the dignity and composure with which he met his fate, the sacredness of the place where the murder was perpetrated, all contributed to inspire men with horror for his enemies, and veneration for his character. The advocates of "the customs" were silenced. Those who had been eager to condemn, were now the foremost to applaud, his conduct; and his bitterest foes sought to remove from themselves the odium of having been his persecutors. The cause of the church again flourished: its liberties seemed to derive new life and additional vigour from the blood of their champion.

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[115] Grim, apud Sur. 361, 362. Stephan. 84—87. Joan. Saris. ep. 286. Quadril. iii. 13—18. Gervase, 1415—1417. Martenna, Thes. Anecd. iii. 1137.

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Conduct of Henry and Alexander.

Henry was at Bure in Normandy, celebrating the holidays, and displaying the pomp of royalty in the midst of his prelates and nobles. The news plunged him at once into the deepest melancholy. Shut up in his private closet, for three days he obstinately refused to take nourishment, or admit the offices of his attendants. The stain which the fate of the archbishop would imprint on his character, the curses which the church was ready to heap on his head, the long train of calamities which possibly might follow, perhaps the consciousness that, if he had not commanded, he had at least suggested the murder, alarmed his imagination, and partially disordered his reason. From this state he was aroused on the fourth day by the importunities of his ministers; and to avert the papal indignation, five envoys were immediately dispatched to Italy with almost unlimited powers.[116] Alexander refused to see them. His grief was not less real than that of the king: but it proceeded from a different cause. He attributed the murder to the lenity with which he had hitherto treated the adversaries of the primate: and that

[116] St. Thom. ep. v. 79. The king knew not how to behave to the murderers. To punish them for that which they had understood he wished them to do, appeared ungenerous: to spare them was to confirm the general suspicion that he had ordered the murder. (Gul. Newbrig. ii. 25.) He left them therefore to the judgment of the spiritual courts. In consequence they travelled to Rome, and were enjoined by Alexander to make a pilgrimage to Jerusalem, where some, if not all, of them died. Ibid.

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he might decide on his future conduct without being swayed by the interested advice of others, he secluded himself for eight days from the company of his most confidential friends. On the Thursday before Easter he gave audience to the envoys. They warmly asserted the innocence of their master, and swore that he would submit his case to the wisdom, and abide by the decision, of the pontiff. Moved, though not convinced, by their declaration, Alexander excommunicated in general terms the assassins, with all their advisers, abettors, and protectors; and appointed the cardinals Theodin and Albert his legates in France to take cognisance of the cause.[117] The intelligence was received with satisfaction by Henry: but, as he was ignorant of the instructions and intentions of the legates, he deemed it prudent to withdraw from Normandy before their arrival. He landed in England in the beginning of August: two months were spent in the collection of a powerful army; and in October a fleet of four hundred sail bore Oct. 18.

[117] Ep. v. 84, 85. The king's envoys were opposed by Alexander of Wales and Gunter of Flanders, two clergymen, who had been in the service of the archbishop. During his exile clergymen of all nations were anxious to be admitted into his household; and to this circumstance many owed their promotion after his death. Thus Hubert of Milan became archbishop of his native city, and afterwards pope by the name of Urban III. Lombard of Placentia was made cardinal, and archbishop of Benevento; John of Salisbury was preferred to the bishopric of Chartres; Gilbert to that of Rochester; and Gerard, and Hugh the Roman, were successively appointed bishops of Coventry. See Baronius ad ann. 1172.

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him to Waterford in Ireland. His presence, he alleged, was necessary to receive the submission of the natives: his real motive, if we may believe contemporary historians, was to elude with decency the visit of the legates. But before I describe the issue of this expedition, which has connected the history of the sister isle with that of England, it will be proper to notice the previous state of the country, and the several events which enabled Henry to add to his other titles that of "the lord of Ireland."

Ancient inhabitants of Ireland.

That the ancient inhabitants of Ireland were chiefly of Celtic origin, is evident from the language still spoken by their descendants.[118] Of their manners, polity, and religion, we may safely judge from analogy. There can be no doubt that they lived in the same rude and uncivilized state, in which their neighbours were discovered by the legions of Rome, and the teachers of christianity.[119] Books, indeed, have been published, which minutely describe the revolutions of Erin from a period anterior to the deluge: but it is evident that the more early portion of the Irish history of Keating rests on the same baseless authority as the British history of

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[118] See note 114 of the first chapter of this work.

[119] This is asserted by Tacitus (ingenia cultusque hominum non multum a Britannia differunt. Agric. xxiv.), and by the monks of Benchor, about a century after the death of their apostle. "Christ "sent Patrick to preach among the *barbarous nations* of Ireland." See note 122.

Geoffry, of bardic fictions, and of traditional genealogies. These, perhaps before, most probably after, the introduction of christianity, were committed to writing: new embellishments were added by the fancy of copyists and reciters: and a few additional links, the creation of one or two imaginary personages, connected the first settlers in Ireland with the founders of the tower of Babel.[120] Nor were such fables the peculiar growth of the soil of Erin. The Frank and the Norman, the Briton and the Saxon, found no more difficulty than the Irishman in tracing back their progenitors to the ark, and pointing out the very grandson of Noah, from whom each of them was lineally descended.[121] Hence, if there were aught of truth in the traditions of these nations, it soon became so blended with fiction, that at the present day to distinguish one

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[120] Several of the stories related by Keating and O'Flaherty may be seen in a more simple dress in Nennius, c. vi—x. From the care taken to connect them with the histories of the deluge and of Pharaoh, it is plain that, if they were not invented, they were much embellished, after the preaching of christianity.

[121] For the Saxons see the Chronicle, p. 77; for the Normans William of Jumieges, p. 217; for the Britons Nennius, c. xiii. &c. Of all these genealogies the most amusing and ridiculous is one copied by Nennius, from whom we learn, 1. that Alan, the son of Japhat, had three sons, Hesicion, Armenon, Negno: 2. that Hesicion had four children, whom he named Franc, Roman, Alleman, and Brito: 3. that Armenon had five, called Goth, Walagoth, Gepidus, Burgundus, Longobardus: 4. and that Negno had only four, known by the appellations of Wandal, Saxo, Bulgar, and Targus. Hence it was easy to trace the descent of all the European nations, and their relative degrees of consanguinity.

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from the other must prove a hopeless as well as useless undertaking.

Their conversion to christianity.

Though the gospel had been preached in Ireland at a more early period, the general conversion of the natives had been reserved for the zeal of St. Patrick. This celebrated missionary was born in a village between Dunbarton and Glasgow, which has since assumed the name of Kill-patrick. He commenced his labours in the year 432, and after a life of indefatigable exertion, died at an advanced age in 493.[122] His

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[122] The existence of St. Patrick has been recently denied by Dr. Ledwich, who while he assumes the right of incredulity himself, presumes much on the credulity of his readers, if he expects them to believe on his mere assertion that this celebrated missionary was never heard of before the ninth century. If he had taken the trouble to make the inquiry, he would have found St. Patrick mentioned by the very ancient author of the life of St. Gertrude (Annal. Bened. i. 467), by Cummin (Asser, Syllog. epist. 32), by Adamnan (in prol. vit. S. Columb.): by Bede (Martyr. p. 351), by Alcuin (Vit. S. Willibrordi), and in the old antiphonary of the monastery of Benchor. To these authorities enumerated by that learned antiquary Dr. O'Conor (Prol. xlix.) I may add the ancient litany published by Mabillon (Anal. vet. 168), which cannot be more recent than the seventh century. The antiphonary of Benchor, formerly employed in the service of that church, is still preserved in the Ambrosian library at Milan (No. 10. Lit. c.), and contains but three hymns in honour of particular saints, the first of whom is St. Patrick. It is entitled, Hymnus S. Patritii, magistri Scotorum: and though it displays little taste or ability, incontestably proves that he was then considered as the apostle of Ireland.

Audite omnes amantes
Deum, sancta merita
Viri in Christo beati
Patrici episcopi—

. . . . .

disciples appear to have inherited the spirit of their teacher: churches and monasteries were successively founded: and every species of learning known at the time, was assiduously cultivated. It was the peculiar happiness of these ecclesiastics to escape the visits of the barbarians, who in the fifth and sixth centuries depopulated and dismembered the western empire. When science was almost extinguished on the continent, it still emitted a faint light from the remote shores of Erin: strangers from Britain, Gaul and Germany, resorted to the Irish schools;[123] and Irish missionaries established monasteries and imparted instruction on the banks of the Danube, and amid the snows of the Apennines. During this period, and under such masters, the natives were gradually reclaimed from the ignorance and

Dominus illum elegit,
Ut doceret barbaras
Gentes, et piscaret
Per doctrinæ retia . . .
Hibernas inter gentes.

Dr. O'Conor conceives this venerable MS. to have been written about the year 690, from the notices contained in a hymn at the end: but if he could have inspected it himself, he would have discovered that this last hymn is an addition by a later hand, and that the body of the MS., with the passage in question, is much more ancient. Oltrochi, the late learned librarian, pronounced it of the same age with St. Columbanus himself, in whose monastery at Bobbio it was originally preserved.

[123] In mentioning the northern Saxons, who crowded to hear the Irish teachers, Bede has recorded an honourable trait in the character of the natives. Quos omnes Scoti libentissime suscipientes, victum quotidianum sine pretio, libros quoque ad legendum, ac magisterium gratuitum præbere curabant. Bede Hist. iii. 27.

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pursuits of savage life: but their civilization was retarded by the opposite influence of their national institutions: it was finally arrested by the invasions of the Northmen, who from the year 748 during more than two centuries, almost annually visited the island. These savages traversed it in every direction; went through their usually round of plunder, bloodshed, and devastation; and at last occupying the sea coasts, formed settlements at the mouths of the navigable rivers. The result was the same in Ireland as in Britain and Gaul. Hunted by the invaders into the forests, and compelled to earn a precarious subsistence by stealth and rapine, the natives forgot the duties of religion, lost their relish for the comforts of society, and quickly relapsed into the habits and vices of barbarism.

Their customs.

The national institutions to which I have just alluded as hostile to the progress of civilization, were tanistry and gavelkind. I. The inhabitants were divided into numerous septs, each of which obeyed the paternal authority of its canfinny or chief. The canfinnies, however, seldom enjoyed independence. The weak were compelled to submit to the control of their more powerful neighbours, who assumed the titles of kings; and among the kings themselves there always existed an ard-riagh or chief monarch, who, if if he did not exercise, at least claimed, the sovereignty over the whole island. The law of tanistry regulated the succession to all these

Tanistry.

dignities from the highest to the lowest. It carefully excluded the sons from inheriting the authority of their father: and the tanist, the heir apparent, was elected by the suffrages of the sept during the life-time of the ruling chieftain. The eldest of the name and family had, indeed, the best title to this distinction: but his capacity and deserts were previously submitted to examination; and the charge of crime, or cowardice, or deformity, might be urged as an insuperable objection to his appointment. If the reigning family could not supply a fit person, the new tanist was selected from the next branch in the sept: and thus every individual could flatter himself that in the course of a few generations the chieftainry might fall to the lot of his own posterity. Such a custom, however, could not fail to create intestine quarrels, which, instead of waiting the tardy decision of the triennial assembly of the states, were generally terminated by the passions and swords of the parties. The elections were often attended with bloodshed: sometimes the ambition of the tanist refused to await the natural death of his superior: frequently the son of the deceased chieftain attempted to seize by violence the dignity to which he was forbidden to aspire by the custom of his country. Hence every sept and every kingdom was divided by opposite interests; and the successful candidate, instead of applying to the im-

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provement of his subjects, was compelled to provide for his own security by guarding against the wiles, the treachery, and the swords, of his rivals.[124]

Gavelkind.

II. Gavelkind is that species of tenure, by which lands descend to all the sons equally, and without any consideration of primogeniture. It prevailed in former ages among all the British tribes: and some relics of it in an improved form remain in England even at the present day. Among the Irish it existed as late as the reign of James I.: and still retained the rude features of the original institution. While it excluded all the females, both the widow and the daughters, from the possession of land, it equally admitted all the males without distinction of spurious or legitimate birth. Yet these did not succeed to the individual lands held by their father. At the death of each possessor the landed property of the sept was thrown into one common mass: a new division was made by the equity or caprice of the canfinny; and their respective portions were assigned to the different heads of families in the order of seniority. It is evident that such a tenure must have opposed an insuperable bar to agricultural improvement, and to the influence of agriculture in multiplying

[124] The annals of Ireland furnish very few instances in which a son obtained the government on the death of his father. More than half of the kings appear to have been murdered, or to have fallen in battle.

the comforts of civilized life. It could only exist among a people principally addicted to pasturage; and to whom the prospect of migrating to a more favourable situation, made a transient, preferable to a permanent, interest in the soil. Accordingly Davis tells us, that even in his time, the districts, in which gavelkind was still in force, "seemed to be all one "wilderness." [125]

Ireland in the twelfth century.

When the natives, after a long struggle, assumed the ascendancy over the Danes, the restoration of tranquillity was prevented by the ambition of their princes, who, during more than a hundred years, contended for the sovereignty of the island. It was in vain that the pontiffs repeatedly sent, or appointed, legates to establish the discipline of the canons, and reform the immorality of the nation: that the celebrated St. Malachy added the exertions of his zeal: and that the Irish prelates, in their synods, published laws, and pronounced censures. The efficacy of these measures was checked by the turbulence of the princes and the obstinacy of the people: [126] it was entirely suspended by the subsequent invasion of the English. The state of Ireland at that period

1140.

[125] Davis, Reports, p. 134.

[126] Of a great council of the laity and clergy assembled in 1167 it is remarked as something very extraordinary, that "they separated in peace, without quar- "rel, or battle, or recrimination, owing to the great prudence of "Roderick, king of Ireland." Annal. iv. Magist. ad ann.

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1182. 1185. has been delineated by Girald, who twice visited the island, once in the company of his brother, a military adventurer, and afterwards as the chaplain or secretary of John, the youngest of Henry's sons. In three books on the topography, and two on the subjugation of Ireland, he has left us the detail of all that he had heard, read, and saw. That the credulity of the Welshman was often deceived by fables, is evident: nor is it improbable that his partiality might occasionally betray him into unfriendly and exaggerated statements: yet the accuracy of his narrative in the more important points is confirmed by the whole tenor of Irish and English history, and by its accordance with the accounts which the abbot of Clairvaux had received from St. Malachy and his disciples.[127] The ancient division of the island into five provinces or kingdoms, was still retained:[128] but

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[127] I have attentively perused the Cambrensis eversus of Lynch, a work of much learning and ingenuity. In several instances he may have overturned the statements of Girald: in the more important points he has completely failed. The charge of barbarism so frequently and forcibly brought forward by St. Bernard, could be neither repelled nor evaded. His principal resource has been to insinuate, that it should be confined to a small district, though his authority describes it as general (per universam Hiberniam.... ubique. Vit. Malach. 1937): and to contend that it was eradicated by St. Malachy, though the contrary is proved by incontestable evidence. See Lynch, p. 151.

[128] These provinces were Leinster, Desmond or South Munster, Tuamond or North Munster, Connaught and Ulster. Meath was considered as annexed to the dignity of monarch of Ireland. Dr.

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the nominal sovereignty over the whole, which for several generations had been possessed by the O'Neals, had of late been assumed by different chieftains, and was now claimed by the O'Connors, kings of Connaught. The seaports, inhabited chiefly by the descendants of the Ostmen, were places of some trade.[129] Dublin is styled the rival of London: and the wines of Languedoc were imported in exchange for hides.[130] But the majority of the natives shunned the towns, and lived in huts in the country. They preferred pasturage to agriculture. Restraint and labour were deemed by them the worst of evils: liberty and indolence the most desirable of blessings.[131] The children owed little to the care of their parents: but shaped by the hand of nature, they acquired, as they grew up, elegant forms, which, aided by a lofty stature and florid complexion, excited the admiration of the invaders. Their clothing was scanty, fashioned after a manner which to the eye of Girald appeared barbarous, and spun from the wool of their sheep, sometimes dyed, but generally in its natural state. In battle they measured the valour of the combatants by

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O'Conor has attempted to describe the limits of these divisions from the more ancient writers. Proleg. lviii. lix.

[129] The Ostmen of Ireland were the same as the Northmen of the Saxon writers. Their native country lay to the eastward. Girald, 750. [130] Girald, 700. Divilinum, urbem maritimam, portuque celeberrimo nostrarum emulam Londoniarum. Newb. ii. 26. [131] Girald, 739.

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their contempt for artificial assistance; and when they beheld the English knights covered with iron, hesitated not to pronounce them devoid of real courage. Their own arms were a short lance, or two javelins, with a hatchet of steel called a "sparthe." This the invaders found to be a most formidable weapon. It was wielded with one hand, but with such address and impetuosity, as generally to penetrate through the best tempered armour. To bear it was the distinction of freemen: and as it was always in the hand, it was frequently made the instrument of revenge.[132] They constructed their houses of timber and wicker work with an ingenuity which extorted the praise of the English.[133] Their churches were generally built of the same materials: and when archbishop Malachy began to erect one of stone, the very attempt excited an insurrection of the people, who reproached him with abandoning the customs of his country, and introducing those of Gaul.[134] In temper the natives are described

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[132] Girald, 738. 743. [133] They erected for Henry II. at Dublin virgeum palatium magnum. Gerv. 1421. It is called by Brompton, Opus de virgis mirifice ad modum illius patriæ. Bromp. 1079.

[134] He wished to build at Benchor oratorium lapideum ad instar illorum quæ in aliis regionibus extructa conspexerat.—Indiginæ mirati sunt, quod in terra illa necdum ædificia ejusmodi inveni-rentur—O bone vir, quid tibi visum est nostris hanc inducere regionibus novitatem. Scoti sumus, non Galli. S. Bern. in Vit. S. Malach. 1952. He had built in the same place, but before he had visited other countries, de lignis lævigatis, sed apte firmiterque contextum, opus Scoticum, pulchrum satis. Id. 1935. I observe that

as irascible and inconstant, warmly attached to their friends, faithless and vindictive towards their enemies.[135] Music was the acquirement in which they principally sought to excel; and the Welshman, with all his partiality for his own country, has the honesty to assign to the Irish the superiority on the harp.[136]

The Irish clergy.

That the clergy of Ireland in the sixth century differed in some points of discipline from the clergy of the neighbouring churches, is plain from the disputes respecting the time of Easter and the form of the tonsure: that they agreed in all points of doctrine is equally evident from the history of these very disputes, from the cordial reception of the Irish ecclesiastics in Gaul and Italy, and from the easy amalgamation of their rules with those of the continental monks.[137] During the invasions of the Northmen, they were the principal sufferers: at the return of tranquillity their churches

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Bede, four centuries before, gave the same name of opera Scotica to the wooden churches built in the north of England by the Irish missionaries. Bed. Hist. iii. 25.

[135] Girald, 743. See some instances in Vit. Malach. 1950, 1951. [136] Id. 739.

[137] Though the moderns tell us that they did not admit the supremacy of the popes, no such information is contained in any ancient writer. From Bede we incidentally learn that on points of difficulty they were accustomed to consult the Roman church (Hist. ii. 19), and to submit to its decisions. Hist. iii. 3. Cummin (he wrote in 630), in his letter to Segienus, says that to obtain the judgment of the holy see, misimus quos novimus sapientes esse, velut natos ad matrem. Usser, Syl. ep. p. 34.

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and possessions fell, in many instances at least, into the hands of laymen, and were retained, according to the custom of tanistry, in the possession of the same family for several generations.[138] This was the fate even of the church of Armagh, the original see of St. Patrick, and the residence of the metropolitan of Ireland. During the lapse of almost two centuries it had been occupied by individuals of the same lineage, fifteen of whom immediately succeeded each other. Of these six only were clergymen: the rest were lay chieftains, who, though they did not presume to exercise the episcopal functions, enjoyed with the title the emoluments of the bishopric. Celsus determined to abolish this abuse, and chose for his successor the celebrated Malachy O'Morgan: but the family of Celsus deemed the appointment an invasion of their just rights, and at his death placed Mau-

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[138] This custom prevailed both in Wales and Ireland. Hæc ecclesia, says Giraldus, sicut et aliæ per Hiberniam et Walliam plures, abbatem laicum habet. Usus enim inolevit, et prava consuetudo, ut viri in parochia potentes, primo ecclesiarum patroni et defensores a clero constituti, postea totum sibi jus usurparent, terras omnes sibi appropriarent, solum altaria cum decimis et oblationibus clero relinquentes, et hæc ipsa filiis suis clericis et cognatis assignantes, Itin. Camb. 863. Thus when St. Malachy was made abbot of Benchor, the possessions of the monastery were held by the lay abbot. A tempore quo destructum est monasterium non defuit, qui illud teneret cum possessionibus suis. Nam et constituebantur, per electionem etiam, et abbates appellabantur, servantes nomine et non re quod olim extiterat. D. Bernard. in vit. Malach. 1935.

rice, one of his relatives, on the metropolitan throne. Maurice at his decease left his dignity to Nichel: but Nichel was expelled by the neighbouring chieftains, and Malachy, after a delay of five years, obtained the precarious possession of Armagh. It was to this prostitution of the archiepiscopal authority that St. Bernard attributed the want of canonical discipline among the clergy, and the prevalence of immorality, superstition, and incestuous concubinage among the people.[139] To remedy such evils the popes, for almost a century before the invasion, had employed the zeal of foreign and national legates: and Girald bears a willing testimony to the general character of the clergy, with whom he had been acquainted. But while he praises their devotion, continency,[140] and personal virtues, he justly complains, that, living in communities under the eye of their bishop and abbot, they confined themselves to the practices of the monastic profession, and neg-

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[139] Vit. S. Malach. 1937—1941. Serm. in transitu Malach. 301. Inde tota illa per universam Hiberniam dissolutio ecclesiasticæ disciplinæ. Inde illa ubique pro consuetudine christiana sæva subintroducta barbaries. 1937. See also 1932. 1936. Girald, 742, 743.

[140] We are repeatedly told that the ancient clergy of Ireland were married: but I can find no proof of the assertion. The fragment which is so often quoted from Usher means the reverse. It states that the missionaries, the saints of the first order, who lived among the people, did not refuse the services of women, because they were superior to temptation; while those of the second order, who followed them, dwelt in monasteries, from the precincts of which females were excluded. Usher, 913.

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lected the principal office of clergymen, the duty of instructing the ignorance, and of reproving the vices, of the people.[141]

Henry's first project of invading Ireland.

The proximity of Ireland to England, and the inferiority of the natives in the art of war, had suggested the idea of conquest to both William the conqueror, and the first Henry. The task, which they had abandoned, was seriously taken up by the son of Matilda. To justify the invasion of a free and unoffending people, his ambition had discovered that the civilization of their manners and the reform of their clergy were benefits, which the Irish ought cheerfully to purchase with the loss of their independence. Within a few months after his coronation, John of Salisbury, a learned monk, and afterwards bishop of Chartres, was dispatched to solicit the approbation of pope Adrian. The envoy was charged to assure his holiness that Henry's principal object was to provide instruction for an ignorant people, to extirpate vice from the Lord's vineyard, and to extend to Ireland the annual payment of Peter-pence: but that, as every christian Island was the property of the holy see,[142] he did not presume to make the at-

[141] Girald, 745, 746. [142] Sane Hiberniam et omnes insulas (Hume seems to have read regna, for he translates it, kingdoms), quibus sol justitiæ Christus illuxit, ...ad jus. S. Petri et sacrosanctæ Romanæ ecclesiæ (quod tua etiam nobilitas recognoscit) non est dubium pertinere. Chart. Adriani. Leg. Sax. 319. But on what did this extraordinary claim rest? On the donation of Constantine, the authenticity of which was never questioned by the critics of

tempt without the advice and consent of the successor of St. Peter. The pontiff, who must have smiled at the hypocrisy of this address, praised in his reply the piety of his dutiful son; accepted and asserted the right of sovereignty which had been so liberally admitted; expressed the satisfaction with which he assented to the king's request; and exhorted him to bear always in mind the conditions on which that assent had been grounded.[143] At the following Michaelmas a great council was held to deliberate on the enterprise: but a strong opposition was made by the empress mother, and the barons: other projects offered themselves to Henry's ambition;

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It is postponed.

those ages. This we learn from the negotiator himself. Omnes insulæ de jure antiquo, ex donatione Constantini, qui eam fundavit et dotavit, dicuntur ad ecclesiam Romanam pertinere. Joan. Saris. Metalog. iv. 42. Keating (p. 548) pretends that the Irish princes in 1092 gave the sovereignty of the island to pope Urban II., through enmity to Donehad O'Brian, king of Munster. But Donchad was expelled in 1047, and the Irish in their memorial to John XXII., contend that their monarchs never acknowledged a superior in temporals before the English invasion. Ford. xii. 26.

[143] See the letter in Girald, 737, Diceto, 529, Leg. Sax. 319. A most unfaithful translation is published in Mr. Plowden's Ireland, tom. i. App. No. 1. John of Salisbury, who must have known its real purport, calls it a grant of inheritance. Ad preces meas Henrico concessit et dedit Hyberniam jure hæreditario possidendam, sicut literæ ipsius testantur. Metalog. iv. 42. It is however observable, that Adrian in this instrument avoids the usual language of feudal grants: he merely signifies his acquiescence in the king's project: he is willing that Henry should enter Ireland, and be acknowledged as lord by the natives. Gratum et acceptum habemus, ut pro dilatandis ecclesiæ terminis, &c. insulam illam ingrediaris ——et illius terræ populus honorifice te recipiat, et sicut dominum

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and the papal letter was consigned to oblivion in the archives of the castle at Winchester.[144]

First invasion.

Fourteen years after this singular negotiation a few Welsh adventurers landed in Ireland at the solicitation of one of the native princes. Dermot, king of Leinster, had several years be-
1152. fore carried away by force Dervorgil, the wife of O'Ruarc, prince of Breffny or Leitrim. The lady appears to have been a willing captive: but the husband, to avenge his disgrace, claimed
1153. the assistance of Turlogh O'Connor, monarch of Ireland; and the adulterer was compelled to restore the fugitive. From this period Dermot and O'Ruarc adhered to opposite interests in all the disputes which agitated the island. During the life of Maurice O'Loghlin, who succeeded O'Connor in the sovereign authority, Dermot braved the power of his adversary; but on the
1156. death of that prince the house of O'Connor
1166. resumed the ascendancy: O'Ruarc destroyed Ferns, the capital of Leinster; and Dermot was
1167. driven out of the island.[145] The exile, abandoned by his countrymen, solicited the assistance of strangers. Passing through England to

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veneretur. Leg. Sax. ibid. Compare this with Hume's account, c. ix.

[144] Chron. Norm. 991. When Louis a few years later (1159) meditated a similar expedition into Spain, and for that purpose requested the consilium et favorem Romanæ ecclesiæ, the answer was very different.—Adrian dissuaded him, because it was inconsulta ecclesia et populo terræ illius. Bouquet, xv. 690.

[145] I have preferred this account of the Irish annalists to that of Girald.

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Aquitaine, he did homage for his dominions to Henry, and obtained permission to enlist adventurers in his service. His offers were accepted by Richard de Clare, surnamed Strongbow, earl of Strigul, or Pembroke,[146] a nobleman of ruined fortunes and in disgrace with his sovereign, and by two brothers, Robert Fitz-Stephen, and Maurice Fitz-Gerald, Welsh gentlemen, equally distressed in their circumstances, and equally ready to engage in any desperate enterprise.[147] Relying on their promises Dermot returned to Ireland, and found, during the winter months, a secure asylum in the monastery of Ferns. In the beginning of summer Fitz-Stephen landed in Bannock bay, accompanied or followed by one hundred and forty knights, sixty coats of mail, and three hundred archers. The king joined them with a body of natives, and by the reduction of Wexford, struck dismay into the hearts of his enemies. He then led his forces against Donald, the prince of Ossory, a ferocious chieftain, whose jealousy a few years before had deprived the eldest of Dermot's sons of his sight, and afterwards of his life. The men of Ossory, five thousand in number, amid their forests and marshes, defended them-

By Welsh adventurers. 1169. June 24.

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[146] He took the title of Strigul from a castle of that name near Chepstow. Dugd. Introd. to Baron.

[147] These brothers were by different husbands the sons of Nesta, a Welsh princess, who while she was the mistress of Henry I. had borne to that monarch Robert, the celebrated earl of Glocester.

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selves with success: but by a pretended flight they were drawn into the plain, where a charge of the English cavalry bore them to the ground, and the fallen were immediately dispatched by the natives under the banner of Dermot. A trophy of two hundred heads was erected at the feet of that savage, who testified his joy by clapping his hands, leaping in the air, and pouring out thanksgivings to the Almighty. As he turned over the heap, he discovered the head of a former enemy. His hatred was rekindled at the sight, and seizing it by the ears, in a paroxysm of fury, he tore off the nose with his teeth.[148]

And by the earl of Strigul. 1170

The ambition of Dermot now aspired to the sovereignty of the island. With this view he solicited reinforcements from England, and reminded the earl of Strigul of his engagements. "We have seen," says the king, in a singular letter preserved by Girald, "the storks and the "swallows. The birds of the spring have paid "us their annual visit; and at the warning of "the blast have departed to other climes. But "our best friend has hitherto disappointed our "hopes. Neither the breezes of the summer,

[148] Girald seems to have received the account from an eye-witness, 760. 763. The decapitation of the slain was probably an Irish custom. But if it were, it was adopted by the invaders. When O'Ruarc was slain at a conference between him and Hugh de Lacy, his head was sent to the king in England (Girald, 780): and on the defeat of the men of Kilkenny, the victors offered one hundred heads to prince John in Dublin. Id. 807.

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"nor the storms of the winter, have conducted "him to these shores."[149] His expectations were soon realized by the arrival of Fitz-Gerald and Raymond, with twenty knights, thirty coats of mail, and one hundred and seventy archers. The strangers landed four miles to the south of Waterford, and were immediately opposed by O'Phelan at the head of three thousand men. They retired before the multitude to the rock of Dundolf, where, aided by the advantage of the ground, they repelled every attack. Fame exaggerated the loss of the natives to five hundred men: but the glory of the victory was sullied by the cruelty of the invaders, who wantonly precipitated seventy of their captives from the promontory into the sea.[150]

When Strongbow dispatched the last reinforcement, he had obtained an ambiguous permission from Henry; he now followed with twelve hundred archers and knights, though he had recently received an absolute prohibition. At the third assault Waterford was taken. Dermot eagerly marched against Dublin. It was carried by storm, and the victor testified by numerous donations his gratitude for the services of his auxiliaries. But while he was meditating new conquests, he was arrested by death: and Strongbow, who had previously married his daughter Eva, and had been appointed his suc-

Aug. 25.

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[149] Girald, 767.

[150] Id. 766—769.

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cessor, immediately assumed the royal authority. The most powerful efforts were now made to expel the strangers from Dublin. The former inhabitants, who had escaped under Asculf the Ostman, attempted, with the aid of sixty Norwegian vessels, to regain the city. They were scarcely repulsed, when Roderic king of Connaught sat down before it. In the ninth week of the siege he was surprised by a sally from the garrison, and the multitude of his followers was completely dispersed. Lastly O'Ruarc with the natives of Meath, undertook to avenge the cause of his country. He lost his son, and the bravest of his associates.[151]

1171. May. Sept. 1.

Henry sails to Ireland.

When the Welsh adventurers first sailed to the aid of Dermot, Henry had viewed the enterprise with contempt: their subsequent success awakened his jealousy. As soon as he heard of the capture of Waterford, he forbade by proclamation any of his subjects to cross over to Ireland, and commanded all, who had already joined in the invasion, to return under the penalty of forfeiture. Strongbow was alarmed, and dispatched Raymond to lay his conquests at the feet of his sovereign. The messenger was unable to procure an answer. Henry of Mountmaurice followed, and was equally unsuccessful. The earl, convinced of his danger, now adopted the advice of his friends, and re-

[151] Girald, 766—775.

pairing to England, waited on Henry at Newnham, in Glocestershire. At first he was ignominiously refused an audience: and to recover the royal favour, renewed his homage and fealty, surrendered to Henry the city of Dublin, the surrounding cantreds, and the castles and harbours in his possession, and consented to hold the remainder of his lands in Ireland as tenant in chief of the English crown. The king was now satisfied: the acquisitions of the adventurers had been transferred to himself; and he permitted Strongbow to accompany him to Milford Haven, where he embarked with five hundred knights, their esquires, and a numerous body of archers, on board a fleet of four hundred transports. He landed at Waterford, received during a hasty progress the homage of the neighbouring princes, and directed his march towards Dublin, where a temporary palace of timber had been erected for his reception. It was his wish rather to allure than to compel submission: and the chieftains whom hope, or fear, or example, daily led to his court, were induced to swear obedience to his authority, were invited to his table, and were taught to admire the magnificence and affability of their new sovereign. But while so many others crowded to Dublin, the pride of O'Connor refused to meet a superior: and the severity of the season, with the inundation of the country, placed him beyond the reach of resentment. He

Oct. 17

Nov. 12.

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condescended however to see the royal messengers on the banks of the Shannon, and to make in their presence a nominal submission. The princes of Ulster alone obstinately preserved their independence: they would neither visit the king, nor own his authority.[152]

Councils of the Irish bishops.

When in the preceding year Dermot let loose his foreign auxiliaries against his countrymen, the Irish bishops, surprised at their unexampled success, had assembled at Armagh, and, looking on the strangers as the ministers of the divine wrath, had enacted that every slave, who had been imported from England, should be immediately restored to his freedom.[153] After

Nov. 6.

the arrival of Henry, they held another synod at Cashel under the presidency of the papal legate, the bishop of Lismore; signed a formal recognition of the king's sovereignty; and framed several canons for the reform of their church. By these polygamy and incestuous marriages were prohibited: baptism was ordered to be administered by the priest in the church, and not by laymen in private houses: the clergy were declared exempt from the exactions of their chieftains; the payment of tithes and the chant of the service were enjoined: the form was prescribed by which the dying ought to dispose of their property; and provision was made

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[152] Girald, 770. 775, 776. Gervase, 1420. Newbrig. ii. 26.

[153] Girald, 770.

for the decent sepulture of the dead.[154] The archbishop of Armagh, a prelate advanced in years, and venerated for his sanctity, was prevented by indisposition from attending the council: but he visited the king at Dublin: and amused the courtiers by exhibiting as his travelling companion a white cow, the milk of which formed the principal part of his nourishment.[155]

Henry returns to England.

It had been the wish of Henry to spend the following summer in Ireland, to penetrate to the western and northern coasts, and by the erection of castles in favourable situations to ensure the submission of the country. But he was recalled to England in the spring by affairs of greater urgency; and left the island without having added an inch of territory to the acquisitions of the original adventurers. His nominal sovereignty was, indeed, extended over four out of five provinces, but his real authority was confined to the cantreds in the vicinity of his garrisons. There the feudal customs and services were introduced and enforced: in the rest of the island the national laws prevailed; and the Irish princes felt no other change in their situation, than that they had promised to a distant

1172.

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[154] Girald, 776. Ben. Abb. 30, 31. Brompt. 1071.

[155] He died in 1174, in his 87th year. The four masters give him this character. Vir virginea puritate et cordis munditia coram Deo et hominibus, gloriosus in senectute bona sanctissime obiit. Id. ad ann.

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prince the obedience, which they had previously paid to the king of Connaught. At Henry's departure the supreme command had been given

1173. by him to Hugh de Lacy, with the county of Meath for his fee. But during the war, which afterwards ensued between the king and his sons, De Lacy was summoned to the assistance of the father, and the government of the English conquests reverted to the earl of Strigul, who possessed neither the authority to check the rapacity of his followers, nor the power to overawe the hostility of the natives. The castles which had been fortified in Meath, were burnt to the ground: Dublin was repeatedly insulted: four English knights, and four hundred

1174. Ostmen, their followers, fell in a battle in Ossory; and the governor himself was compelled to seek refuge within the castle of Waterford. A seasonable supply of forces raised the siege; and restored the preponderance of the English.[156]

Sequel of the subjugation of Ireland.

It was during this period, when his authority in Ireland was nearly annihilated, that Henry bethought him of the letter which he had formerly procured from Pope Adrian. It had been forgotten during almost twenty years: now it was drawn from obscurity, was intrusted to William Fitz-Aldhelm, and Nicholas, prior of

[156] Girald, 778. 782. 785, 786.

Wallingford; and was read by them with much solemnity to a synod of Irish bishops.[157] How far it served to convince these prelates that the king was the rightful sovereign of the island, we are left to conjecture: but the next year O'Connor sent the archbishop of Tuam to Windsor, CHAP. V. 1175.

[157] Girald, 787. Henry also procured at this time a confirmation of Adrian's grant. Concessionem ejusdem Adriani super Hibernici regni dominio vobis indulto ratam habemus, et confirmamus: quatenus, eliminatis terræ illius spurcitiis, barbara natio, quæ christiano censetur nomine, vestra indulgentia morum induat venustatem. Usser, Syl. epist. 111. These expressions have aroused the indignation of some native writers, who probably were not aware of the causes which induced the pontiff to make use of them. In the Liber niger scaccarii (p. 42—49), are three briefs dated on the 20th of September, 1172, and directed to the king of England, to the kings and princes of Ireland, and to the prelates who had assembled in the council of Cashel, and who had sent him a written account of the state of their church. In all these briefs he speaks in strong terms of the licentious habits, and the untamed passions of the people. The following extract will perhaps justify the offensive expressions. Ut alias enormitates et vitia quibus eadem gens, omissa religione christianæ fidei satis irrevcrenter deservit, omittamus, . . . novercas suas publice introducunt, et ex eis non erubescunt filios procreare, frater uxore fratris eo vivente abutitur, unus se duabus sororibus miscet, et plerique illorum, matre relicta, filias introducunt. Ibid. p. 45. Nor does this statement depend solely on the authority of the pontiff: it is confirmed by every other monument of the times. Both archbishop Lanfranc and his successor St. Anselm, in their correspondence with the Irish kings, make similar complaints. The latter says, viri ita libere et publice suas uxores uxoribus aliorum commutant, sicut quilibet equum equo. Usser, Syl. epist. 70. 94, 95. See also St. Bernard in Vit. Mal. 1932. 1936, 1937. Girald, 742, 743. Truth, the first duty of the historian, has compelled me to notice these passages; nor do I see how it can affect the character of a noble and highly-gifted people, if they acknowledge that their ancestors, like the ancestors of their neighbours, were in former ages far removed from the habits and decencies of civilized life.

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and a treaty of "final concord" was concluded by the ministers of the two princes. In this instrument, Henry grants to his liege man, Roderic, king of Connaught, that he should be king under the English crown, as long as he faithfully performed the services to which he was bound: that, on the annual payment of tribute he should possess his own lands in peace, as he did before the invasion: that he should have under him all the other chieftains of Ireland, who should hold their lands in peace, as long as they were faithful to the king of England, and paid him tribute: that Roderic should collect that tribute and transmit it to Henry; should punish the defaulters; and if it were necessary, call in for that purpose the aid of the king's constable: that the tribute should be every tenth merchantable hide on the lands of the natives: and that the authority of Roderic should extend over the whole island with the exception of the demesne lands belonging to Henry, and those belonging to his barons, that is Dublin, Meath, Wexford, and Waterford, as far as Duncannon.[158] Roderic afterwards surrendered one of his sons to Henry as a hostage for his fidelity.[159]

But treaties could not bind the passions of either the natives or foreigners. The former, urged by national resentment, seized every opportunity of wreaking their vengeance on their

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[158] Rym. Fœd. i. 41. Ben. Abb. ii. 123. [159] Id. Hov. 343.

despoilers: the latter, for the most part men of lawless habits and desperate fortunes, could only support themselves by plunder, and therefore sought every pretext to create or to prolong hostilities. Strongbow died in 1177, leaving two children by Eva, a son, who followed his father to the grave, and a daughter, named Isabella, heiress to the kingdom of Leinster. With the guardianship of this lady, Henry conferred the government on Fitz-Aldhelm, a minister fond of money, and addicted to pleasure, who shunned the dangers of war, and enriched himself at the expense of his inferiors. De Courcy, a rough soldier, and second in command, took advantage of the discontent of the army, and with three hundred and fifty men, in defiance of the governor's prohibition, made an incursion into the province of Ulster. They hoped to surprise Mac Dunleve the king, in his residence at Downpatrick: to their astonishment with the Irish chief they found the cardinal Vivian, a legate from Rome, on his road towards Dublin. This ecclesiastic, unable to dissuade the invaders, gave his benediction to Mac Dunleve, and exhorted him to fight bravely in the defence of his country. But, though the men of Ulster were famed for their courage, they were no match for the superior discipline and armour of their opponents: in three battles victory declared for De Courcy, and the conqueror was able to retain the possession of Downpatrick, in

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1177. June 1.

1178. Feb. 1.

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despite of the constant, and occasionally successful, hostilities of the natives.[160]

Prince John made governor and lord of Ireland. 1177.

Henry had obtained from the pontiff a bull empowering him to enfeoff any one of his sons with the lordship of Ireland. In a great council assembled at Oxford he conferred that dignity on John, a boy in his twelfth year: and cancelling the grants he had formerly made, retained for himself in demesne all the sea-ports with the adjoining cantreds, and distributed the rest of the English possessions among the chief adventurers, to be holden by the tenure of military service of him, and of his son John.[161] At the same time Hugh de Lacy was appointed lord deputy, an officer, whose talents and administration have been deservedly praised. He rebuilt the castles in Meath, invited the fugitives to re-settle in their former homes, and by his equity and prudence reconciled them to the dominion of strangers. But his merit, joined to his marriage with a daughter of Roderic O'Connor, alarmed the jealous temper of Henry: and he received an order to resign his authority to Philip de Worcester, who in a few months was superseded by the arrival of Prince John attended by a numerous force. Unfortunately the counsellors and favourites of the prince were Normans, who viewed with equal contempt the chieftains of the Irish, and the adventurers from

1185. Mar. 31.

[160] Girald, 794. Ben. Abbas, 169. Newbrig. iii. 9.

[161] Hoved. 233.

Wales. The former they irritated by insults, ridiculing their garb, and plucking their beards. The latter they offended by removing them from the garrison towns to serve in the marches. Their thirst for wealth made no distinction between friend or foe. Even the lands of the Septs, which had hitherto proved faithful, were now divided: and the exiles, from the desire of revenge, their local knowledge, and their gradual improvement in the art of war, soon became formidable adversaries. The strangers lost several of their most fortunate leaders, with the greater part of their retainers: the English ascendancy rapidly declined: the council was divided by opposite opinions and angry recriminations: and John, after an inglorious rule of nine months, was recalled by his father.[162] De Courcy, by repeated and laborious expeditions, preserved, if he did not extend, the English conquests; which comprised the maritime districts of Down, Dublin, Wexford, Waterford, and Cork, connected with each other by a long chain of forts. This was the period when the natives, had they united in the cause of their country, might, in all probability, have expelled the invaders. But they wasted their strength in domestic feuds. Even the family of their national sovereign was divided by a most sanguinary contest. Murrogh, the son of Roderic,

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Dec. 17.

[162] Girald, 805. 807, 808. Hoved. 359.

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with the aid of an English partisan, had invaded the territory of his father. He was taken, imprisoned, and deprived of sight. His partisans rescued him: and Roderic retired to a convent. By the English of Munster the old king was restored to his throne: his son Connor Manmoy compelled him once more to return to his asylum. Manmoy was murdered by one of his brothers: that brother fell by the revenge of a nephew; and Connaught presented a dreadful scene of anarchy and carnage, till another brother, Cathal the bloody-handed, subdued every competitor, and obtained the pre-eminence which had been enjoyed by his father.[163]

Henry is reconciled with the pope.

That the reader might form an accurate notion of the manner in which the authority of the English princes was originally established in Ireland, I have conducted the narrative of these events to the death of Henry. It is now time to revert to the personal history of that monarch. During five months, from the day of his landing at Waterford till the end of March, it was observed that not a single vessel from England or his territories on the continent had arrived on the Irish coast. So unusual a suspension of intercourse was attributed to the tempestuous state of the weather: the real cause was the

[163] Roderic retired to the monastery of Conga in 1184, and died in 1198, at the age of 82. At his death he divided his treasures among the poor, the churches of Ireland, and those of Rome and Jerusalem. O'Conor, lxxxviii.

policy of the king, who even at that distance dreaded the spiritual arms of the legates. At Wexford he received a favourable message: and sailing instantly for England, traversed the island with expedition, and crossed the channel to Normandy. When Louis, who believed him to be in Dublin, heard that he was at Barfleur, he exclaimed: "The king of England neither rides "nor sails. He flies with the rapidity of a bird. "One moment transports him from Ireland to "England: another from England to France." If his first conference with the legates proved unsatisfactory, at the second every difficulty was amicably adjusted. In the cathedral of Avranches, before the legates, bishops, barons, and people, with his hand placed on the book of the Gospels, he solemnly swore that he was innocent both in word and deed of the murder of the archbishop. This oath was taken spontaneously: but, as he could not deny that he had at least given occasion by passionate expressions to the project of the assassins, he consented to maintain during twelve months two hundred knights for the defence of the holy land, to serve, if the pope required it, for three years against the infidels either in Palestine or Spain; to restore the lands and possessions belonging to the friends of the archbishop: to allow appeals on taking reasonable security from persons whom he suspected: and to abolish the customs hostile to the liberties of the clergy, if any such

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customs had been introduced since his accession.[164] Immediately after the oath the king was solemnly absolved from all censures by the legates.

The reader will have observed that by the last article the original cause of the dissension between Henry and the late primate had been left open for discussion. Four years elapsed before the question was terminated. During the interval the constitutions of Clarendon, though still unrepealed, were not enforced: and the secular and spiritual tribunals, though actuated by the same spirit of rivalry, preferred their respective

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[164] Hoved. 302, 303. Ep. S. Tho. v. 88, 89. Ep. Joan. Saris. 290. In the oath published from the acts of Alexander by Baronius (xii. 637), and by Muratori (Rer. Ital. Scrip. iii. 463), there occurs an additional and very important article. Præterea ego et major filius meus rex juramus quod a domino Alexandro papa et catholicis ejus successoribus recipiemus et tenebimus regnum Angliæ, et nos et successores nostri in perpetuum non reputabimus nos Angliæ veros reges, donec ipsi nos catholicos reges tenuerint. From the silence of all the letters now extant, which were written on the occasion, the authenticity of this article might fairly be doubted, were it not supported by what seems to me incontrovertible evidence. 1°. It is certain that besides the public oaths, there were private articles, which were kept secret. The legates say: promisit etiam et alia de libera voluntate gerenda, quæ non oportet scripturæ serie denotare. Ep. Card. ad Archiep. Raven. apud Hov. 303. 2°. Henry himself the very next year, in a letter preserved by his secretary Peter de Blois, mentions as a thing perfectly understood between him and the pope, that he holds the kingdom of England in fee from the Roman church. Vestræ jurisdictionis est regnum Angliæ, et quantum ad feudatarii juris obligationem vobis duntaxat obnoxius teneor et astringor. Pet. Bles. ep. 136. I conceive therefore that he took this oath of feudal subjection, but on a promise that it should be kept secret.

claims with unusual moderation. The former were struck dumb by the martyrdom of the primate and the subsequent submission of the monarch: the latter were checked by the indecision of Richard, the new archbishop, whose courage evaporated in vaunts and menaces. At length, in consequence of a request by the king, a legate arrived, the cardinal Hugo Petroleone, a relation and friend of Henry. In a great council at Northampton the matter was debated; and the result may be learned from a letter which the king sent to Alexander by the legate. After professing his high veneration for the pontiff, Henry informs him, that, notwithstanding the opposition of many among his barons, the four following points had been granted: 1. That no clergyman should be personally arraigned before a secular judge for any crime or transgression, unless it were against the laws of the forest, or regarded a lay fee, for which he owed service to a lay lord: 2. that no bishopric or abbey should be kept in the king's hands longer than a year, unless it were required by the evident necessity of the case: 3. that the murderers of clerks, on their conviction or confession before the king's justice, in the presence of the bishop or his officer, besides the usual punishment of laymen, should forfeit their inheritances for ever: 4. and that clergymen should never be compelled to make wager of

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battle.[165] The exception in the first of these articles was severely condemned by the clergy, but could not with decency be opposed by the legate. The church had forbidden to ecclesiastics the exercise of hunting: and if in the pursuit of this amusement they involved themselves in trouble, it was unreasonable that they should claim the protection of the very canons which they had broken. With respect to the third article it may be observed, that the spiritual courts asserted a jurisdiction over the murderers of clerks: but as they could only impose the canonical penance of a pilgrimage to Rome, to obtain absolution from the pontiff, the inadequacy of the punishment tended to encourage rather than restrain the perpetration of the crime. Hence it became the wish of the prelates themselves that the trial of such offences should be

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[165] Diceto, 591, 592. Notwithstanding this original letter, preserved by a contemporary historian, several modern writers tell us that in this council the constitutions of Clarendon were renewed and confirmed. They have been misled by an interpolation in the text of Gervase, owing probably to the ignorance of some copier. Gervase tells us (1433), that the assize of Clarendon was renewed and ordered to be enforced; after which come these words: pro cujus execrandis institutis beatus martyr Thomas exulavit, et martyrio coronatus est. It is, however, certain that the assize of Clarendon was a very different thing from the constitutions of Clarendon. Both Benedictus Abbas (i. 136), and Hoveden (413), have inserted it in their account of the council of Northampton. It formed the code of instructions given to the itinerant judges, and had no reference whatever to the privileges claimed by the clergy.

confined to the secular courts, but in the presence of the bishop or his deputy, to see that justice was done.[166] The usual punishment was then inflicted on the convict, the amputation of a foot and hand, and to this was added the forfeiture of his property. The remaining articles require no explanation.

The king's sons.

In his negotiation with the cardinals Theodin and Albert, Henry had succeeded beyond his most sanguine expectations: his tranquillity was soon interrupted by a new and equally vexatious quarrel originating in his own family. For his children in their more early years he had displayed an affection bordering on excess; but as they grew up, the indulgent parent was gradually changed into a jealous and despotic sovereign. Eleanor had borne him four sons, to each of whom his extensive dominions offered an ample inheritance. Henry, the eldest, had already been crowned king of England: the dutchies of Aquitaine and Bretagne were settled on Richard and Geoffry: and John the

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[166] There is among the letters of Peter of Blois, one from the primate on this subject, written to three of the bishops, probably just before the council of Northampton. He maintains that the claim of criminal jurisdiction in such cases is contrary to the gospel and the decretals, that it leaves the lives of the clergy without protection, is the cause of many murders, and that as the church has not the power of inflicting adequate punishment, the cognizance of such offences ought to be restored to the secular tribunals. Bles. epist. 73. I conceive that the third article was enacted in consequence of this letter.

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youngest, though the courtiers called him "lackland" and "sansterre," was destined by his father to succeed to the lordship of Ireland. For reasons, with which we are unacquainted, Henry had not permitted the consort of his eldest son to be crowned with her husband: and the omission was resented by Louis as a marked and unpardonable insult both to himself and his daughter. To appease that monarch the ceremony was now repeated. Margaret was anointed and crowned together with Henry; and soon afterwards the young king and queen paid a visit to her father at Paris. On their return they required the immediate possession of England or Normandy, that with the title they might be enabled to maintain the dignity which they had received. The demand was heard with indignation, and dismissed with contempt: and Eleanor, who had foreseen, laboured to foment, the discontent of her son. Once that princess had been passionately attached to her husband: but for some years he had deserted her bed for a succession of mistresses; and she eagerly grasped the opportunity of inflicting that revenge, with the hope of which she had consoled her jealousy. At her instigation the young Henry, while the court was on its return from Limoges, eloped to his father-in-law at Chartres: before three days had elapsed, Richard and Geoffry followed the steps of their brother: and shortly afterwards

1172. Aug. 27.

They retire from the court with their mother. 1173. March 8.

it was ascertained that the queen herself, the original contriver of the mischief, had also absconded.[167]

These unexpected events, so rapidly succeeding each other, convinced the king of the existence of a plot more deeply laid, and more widely diffused, than he had suspected. His first object was the recovery of his wife, and his three sons. With this view he employed the bishops of Normandy to write to Eleanor an admonitory letter, in which they assured her, that unless she returned to her husband, and brought her children with her, they should feel it their duty to enforce obedience by ecclesiastical censures. She escaped, however, the disgrace of excommunication by what she probably deemed a more serious evil. She fell into the hands of her offended husband, by whom she was immediately committed to close confinement. With the exception of one short interval, probably of only a few weeks, she remained a prisoner till his decease.[168]

Eleanor is retaken.

At the same time Henry had sent the archbishop of Rouen, and the bishop of Lisieux, to Paris, with instructions to solicit the return

The princes refuse to return.

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[167] Newb. ii. 27. Dicet. 559. 561. Hoved. 305.

[168] In 1185 Henry compelled his son Richard to deliver to his mother Eleanor the earldom of Poitou (Hoved. 352). But in the spring of the next year he brought her back to England, where she was confined till the king's death. Bened. Abb. ii. 545. 549. Gerv. 1547. Dicet. 646.

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of his sons, and an offer to make the king of France umpire between him and them. The reader may judge how cruelly his feelings must have been wounded by the reproachful, though not unmerited, reply of Louis. "He spoke of "your character," say the two prelates in a letter to Henry, "with freedom and asperity. "He said that he had already been too often "the dupe of your artifice and hypocrisy: that "you had repeatedly, and on the slightest pre- "tences, violated your most sacred engage- "ments: and that after the experience which he "had had of your duplicity, he had determined "never more to put faith in your promises. "Pardon us, royal sir, if we think it our duty "to write, what it was painful to us to hear: "but our charge requires, that we should not "only deliver the message, which was intrusted "to us, but also report the answer which we "received."[169]

They are assisted by France.

At Easter the plans of the three princes began to be developed. Louis and the French barons, who had been summoned for the occasion, bound themselves by oath to aid with all their power the young Henry in his attempt to obtain possession of England: while he, on his part, solemnly engaged never to make peace with his father without the consent of the king and the nobility of France. Philip,

[169] Bles. ep. 153, 154.

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earl of Flanders, who was present, and William, king of Scotland, who had sent his ambassadors, entered into the league: nor did the two princes blush to accept as the price of their services, the former a grant of the earldom of Kent, the latter a grant of the county of Northumberland.[170] These were powerful auxiliaries: but still greater reliance was placed on the promises of many barons in the heart of Henry's dominions, who, to emancipate themselves from the yoke of a vigilant monarch, were eager to transfer the crown to the brows of a thoughtless and indigent youth. The knowledge of this circumstance admonished the king to collect assistance from every quarter. By liberal donatives he allured to his standard a body of twenty thousand adventurers, the aggregate refuse of all the nations of Europe, who under the common appellation of Brabanters, were accustomed to sell their services to the highest purchaser: and at the same time, that he might secure the aid of the church, he solicited Alexander, in the most earnest manner, to shield by the papal authority the kingdom of England, "the fief of the holy see, and patri-"mony of St. Peter," from the unnatural attempts of his deluded children.[171]

In the month of June the confederates commenced their operations on the frontiers of

Henry is victorious.

[170] Hoved. 305. Gervase, 1424. [171] Hoved. 305. Bles. ep. 136. See the preceding note, 164.

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Picardy, of the Vexin, and of Bretagne. Philip entered Normandy: Albemarle and Neuchatel surrendered at the first summons: but his progress was arrested by the loss of his brother and heir at the seige of Driencourt; and he retired into his own territory, cursing the infatuation which had led him to engage in so impious a contest. Louis with his son-in-law invested Verneuil. It was an important place, consisting of three burghs, and protected by an almost impregnable castle. By fraud or
Aug. 9. stratagem they obtained possession of the most considerable of these divisions: but at the arrival of Henry, set it on fire, and fled with precipitation. Their departure allowed him to dispatch a body of mercenaries against the earl of Chester, and the baron of Fougeres, who had penetrated by the southern frontier. They fled to the castle of Dol: famine compelled them to surrender; and more than a hundred knights, the flower of the Breton chi-
Aug. 26. valry, were made prisoners. With an air of superiority the king assented to the proposal of a conference: but it was interrupted by the turbulence of the earl of Leicester; who, having obtained the royal permission to leave England, had perfidiously joined the confederates. When Henry upbraided him with his treason, he laid his hand on his sword, and threatened the life of his sovereign. To punish the audacity of the rebel, Richard de Lucy, the

justiciary, took and dismantled the town of Leicester: but finding himself unable to reduce the castle, he united his troops with those of Humphrey de Bohun, the lord constable, and to revenge a sanguinary incursion of the Scots, marched to the north, burnt the town of Berwick, and pillaged the county of Lothian. During their absence the earl of Leicester landed with a body of Flandricans, and was joyfully received by Bigod, earl of Norfolk. He took the castle of Hageneth, and attempted by a rapid march to join his faithful vassals in the castle of Leicester. But on his road at Fernham, he unexpectedly fell in with the royal army, on its return from the Lothians. The small force of the rebels was trampled under foot by the multitude of their enemies: the earl himself, his amazonian countess, and several knights, were taken: and De Lucy with the news of his success sent his captives to Henry in Normandy.[172]

CHAP. V.

Oct. 16.

Nov. 1.

The allies, instead of being intimidated by these losses, spent the winter in maturing a new and more formidable plan of co-operation. It was arranged that Louis should burst into Normandy, that the adherents of Richard and Geoffry should invest the royal castles in Aquitaine and Bretagne, that the king of Scotland should enter England on the north, and that the earl of

Plan of the allies. 1174.

[172] Gul. Newbrig. ii. 28, 29, 33. Hov. 306, 307. Diceto, 570—574.

CHAP. V.

Flanders with the young king should attempt an invasion on the southern coast. Never was Henry's crown in more imminent danger. The Scots poured into the northern counties a torrent of barbarians, whose ravages were no disgrace to the fame of their forefathers: and though Carlisle and Prudhoe defied their efforts, Brough, Appleby, Harbottle, Warkworth, and Liddel were compelled to surrender. In Yorkshire the rebel standard was unfurled by Roger de Mowbray: in the centre of the kingdom, the royal forces were kept at bay by the earl Ferrers, and by David, earl of Huntingdon, brother to the king of Scots; in the east the castle of Norwich opened its gates to Hugh Bigod and seven hundred knights from Flanders: and what was still more alarming, in the harbour of Gravelines lay a numerous fleet ready to transport with the first favourable wind the young king and a powerful army to the opposite coast. It was evident that nothing but the royal presence could save the kingdom. The bishop of Winchester hastened to Normandy, to lay the state of affairs before the monarch, who, convinced by
July 8. his reasons, sailed in the midst of a storm, and fortunately reached the coast before his son had notice of his departure.[173]

There had been something solemn and mysterious in the deportment of Henry during the

[173] Hoved. 307, 308. Newbrig. ii. 31, 32. Diceto, 574—576.

CHAP. V.

Henry's pilgrimage to Canterbury.

passage. His mind was deeply affected by the rebellion of his children, the perfidy of his barons, and the general combination of the neighbouring princes against him. Such things, he had persuaded himself, were not in the ordinary course of nature: they could be no other than the effects of the divine wrath, which he had enkindled by his persecution of archbishop Becket. The name of that prelate had been lately enrolled by the pope in the catalogue of the saints: and every part of Europe resounded with the report of miracles wrought at his shrine. Henry, to expiate his offence, secretly determined to make a pilgrimage to the tomb of the martyr. On the morning of the second day he landed at Southampton: and without waiting to repose himself from his fatigue, began his journey towards Canterbury, rode all night with no other refreshment than bread and water, and at the dawn of the morning descried at a distance the towers of Christchurch. Instantly dismounting from his horse, he put on the garb of a penitent, and walked barefoot towards the city. As he passed through the gateway, the spectators observed that each footstep was marked with blood. He entered the cathedral, descended into the crypt, and threw himself at the foot of the tomb; while the bishop of London ascended the pulpit, and addressed the spectators. The prelate conjured them to believe the assertions of a prince, who thus solemnly appealed to

July 10.

CHAP. V.

heaven in proof of his innocence. Henry had neither ordered nor contrived the death of the primate. His only offence was a passionate expression, which had suggested to the assassins the idea of murder: and for this offence, unintentional as it was, he had now come to do penance, and to implore the forgiveness of the Almighty. At the conclusion of this address the king arose, and proceeded to the chapter-house, where the monks of the convent and a few bishops and abbots had assembled to the number of eighty. Before them the royal penitent on his knees confessed his offence: and each with a knotted cord in his hand inflicted three or five stripes on the shoulders of the monarch. After this extraordinary humiliation he returned to the crypt, spent the night in prayer, and attended at the mass of the following morning. Then with a cheerful heart he remounted his horse, and rode to London; but the want of nourishment, joined to fatigue of mind and body, threw him into a fever, which confined him for a few days to his chamber.[174]

July 12.

July 17. Captivity of the king of Scots.

On the fifth night of his illness a messenger arrived at the palace, the bearer of important dispatches. It was in vain that the watchman at the gate, and the guard at the door of the bed-chamber refused him admission: his importunities overcame their reluctance, and he an-

[174] Newbrig. ii. 35. Diceto, 577. Gervase, 1427. Hoved. 303.

nounced himself to the awakened monarch as the servant of Ranulf de Glanville. To the question, "Is Glanville well?" he replied, "My "lord is well, and has now in his custody your "enemy, the king of Scots." "Repeat those "words," exclaimed Henry in a transport of joy. The messenger repeated them, and delivered his letters.[175] In these Glanville informed the king that the northern barons, to repress the ravages of the Scots, had assembled at Newcastle. On the morning of the 12th of July they rode towards Alnwick, twenty-four miles in five hours, a considerable distance for men and horses encumbered with armour. The country was covered with a thick mist, which, if it favoured their advance, at the same time concealed the position of the enemy. One of the number advised a retreat, when Bernard de Baliol called out: "If all return I will go for-"ward. Baliol shall never be reproached with "cowardice." At that moment the sun dissipated the fog: the castle of Alnwick glittered before them; and on one side in a meadow was seen the king of Scots, tilting with sixty companions. At first he took the strangers for a party of his own men: the English banner convinced him of his mistake. Surprised, but not discouraged, he struck his shield with his lance, and exclaimed: "Now let us prove who is the

[175] This dialogue is related by Newbrigensis, ibid.

CHAP. V.

"truest knight." At the first shock his horse was killed: and as he fell to the ground, he was made prisoner. The Scottish lords immediately threw down their arms, that they might share the fate of their sovereign: and the victors with a long train of illustrious captives returned the same evening to Newcastle. Henry was eager to communicate the important news to his courtiers: and at the same time exultingly remarked, that this glorious event had occurred on the very morning, on which he arose repentant and reconciled from the shrine of St. Thomas.[176]

July 18. The rebels reduced.

The king now forgot his indisposition, and hastened to join his army. But every enemy had disappeared. The multitude, which obeyed the king of Scots, melted away at the first news of his captivity: his brother David, both for his own security, and the tranquillity of the kingdom, sought by unfrequented roads the borders of Scotland: and the earls of Norfolk and Ferrers,

July 31. the bishop of Durham, and Roger de Mowbray, purchased their pardon by the surrender of their castles. In three weeks peace was universally restored: and the army which had been raised

Aug. 5. to oppose the English rebels, sailed from Portsmouth to relieve the capital of Normandy.[177]

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[176] Newbrig. ii. 36. Gervase, 1427. Hoved. 303. Lord Hailes contradicts the king, and says that one of these events happened on a Thursday, and the other on a Saturday; but his own authorities prove that Henry was right.

[177] Diceto, 577. Hoved. 308.

CHAP. V.

Rouen is besieged.

Henry's unexpected appearance in England had disconcerted the plans of his foreign enemies, who now, abandoning the idea of invasion by sea, bent all their efforts to the reduction of his continental dominions. Louis, with the French barons, and the young king with the earl of Flanders, united their forces: and an army more numerous than any which Europe had witnessed since the expeditions of the crusaders, encamped under the walls of Rouen. To wear out the courage and strength of the garrison by incessant assaults, the combined army was divided into three bodies, which at stated hours relieved each other: but the besieged adopted a similar arrangement, and having the command of the bridge over the Seine, and of the country on the left bank of the river, received daily supplies of men and provisions. On the twentieth day of the siege Louis proclaimed an armistice in honour of the martyr St. Lawrence. The citizens, relying on the word of the king, allowed themselves a day of rest and enjoyment. Mirth, dancing, and festivity, reigned in the streets and houses: and on the plain beyond the river the young men practised the exercise of tilting, both to amuse themselves, and to irritate the enemy. It chanced that in the afternoon some clergymen mounted the tower of the cathedral, and through curiosity directed their eyes to the allied camp. At first all was silent: soon the men at arms appeared marching in close

July 21.

Aug. 10.

CHAP. V.

order; and every thing indicated an immediate an unexpected assault. They rang the alarum bell: the enemy ran to scale, the citizens to defend, the walls: a bloody and obstinate conflict ensued: the besiegers were repulsed with loss; and the failure of the attempt served to emblazon the perfidy of the earl of Flanders by whom it had been proposed, and the weakness of the king of France, who, in opposition to his own judgment, had given his consent. The next morning every eye was attracted towards the bridge by the glitter of arms, and the sound of martial instruments. It was the English army, marching to the relief of the city, under the conduct of Henry, who to mark his contempt of the foe, immediately opened the northern gate which had been built up, and threw over the ditch a broad and level road for the passage of cavalry. The besiegers were now in a manner besieged. A body of Welshmen, accustomed to forests and morasses, stole through the woods to the rear of the camp, and intercepted a considerable convoy of stores and provisions. For two days the allies struggled against the privation of their usual supplies: on the third they burnt their engines, and commenced their retreat. It was, however, in vain that the king attempted to make an impression on their rear, which was protected by the bravery of the earl of Flanders.[178]

And relieved.

Aug. 11.

Aug. 14.

[178] Newbrig. ii. 36. Hov. 309. Ben. Ab. i. 86. Diceto, 578, 579.

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Foiled in two successive campaigns by the genius or fortune of Henry, the confederates cheerfully consented to a short armistice, as preparatory to a general peace. Richard alone, the king's second son, refused to be included in its provisions. The rebellious youth thought himself a match for the power of his father: but the daily surrender of his castles, and the increasing defection of his vassals, subdued his obstinacy; and after a resistance of a few weeks, he threw himself at the feet of the monarch, and implored his paternal affection.[179] Henry received him graciously, and conducted him to the place of conference, where they met his two brothers, with their patrons Louis and Philip. The terms of reconciliation were easily adjusted. The three princes engaged to pay due obedience to their father: the conquests on both sides were restored: the young king received two castles in Normandy with a yearly income of fifteen thousand pounds of Angevin money; Richard two castles in Poitou with half the revenue of that earldom; Geoffry two castles in Bretagne with half the rents of the estates of earl Conan, and a promise of the remainder in the event of his marrying the daughter of that nobleman. Richard and Geoffry did homage and swore fealty to their father, who out of respect for the royal dignity refused to accept

Treaty of peace.

Sept. 21

Sept. 29.

Oct. 11.

[179] Hoved. 309.

CHAP. V.

these proofs of feudal inferiority from his eldest son. His captives, to the amount of nine hundred and sixty-nine knights, were immediately restored to their liberty.[180]

Submission and release of the king of Scotland.

From this general indulgence was excepted a prisoner of high importance, William, king of Scots, to whose release Henry refused to consent on any other terms, than an acknowledgment that the crown of Scotland was held as a fief of the crown of England. The unfortunate monarch was confined in the strong castle of Falaise: but that he might have the aid of his council, a deputation of Scottish prelates and barons was permitted to assemble and deliberate in the small town of Valognes. By their advice, and with their consent, William submitted to kneel to Henry, "to become his liege "man against all men of Scotland, or of his "other lands, and to swear fealty to him as "liege lord, in the same manner as his other "men were accustomed to swear: and to do "homage to king Henry the son, saving the "faith which he owed to king Henry the father." It was moreover stipulated that, on the requisition of the king of England, the Scottish clergy and nobility should also do homage, take an oath of allegiance, and swear that if William should ever break his engagements, they would stand with Henry as their liege lord against

Dec. 8.

[180] Rymer, i. 37. Hoved. 309. Diceto, 582, 583.

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the king of Scotland, and all other enemies: that as securities, the five castles of Roxburgh, Berwick, Jedburgh, Edinburgh, and Stirling, should be intrusted to English garrisons: and that in the interval William's brothers and twenty barons should remain hostages in the custody of Henry; to be exchanged for others, their nearest relatives, as soon as the delivery of the fortresses should be completed. The Scottish king was immediately set at liberty: and the next year the treaty was solemnly ratified at York in presence of the estates of both kingdoms.[181]

Final reconciliation of the king and his son. 1175.

The young Henry had carefully remarked the difference between the behaviour of his father to him, and to his two brothers. *His* homage had been refused, while *theirs* was accepted: and this circumstance, as it taught him to mistrust the sincerity of the reconciliation, agitated his mind with the most alarming suspicions. When the king prepared to return to England, *he* resolved to remain in Normandy: and to a peremptory order to accompany his father, he returned as peremptory a refusal. Another war would have been the result, had he not, at the

[181] Rym. i. 39, 40. This was not the first time William had done homage. At the coronation of the young Henry he had been compelled to do homage and swear fealty to him against all men, saving his father. According to the treaty the Scottish church was to pay due obedience to that of England; but when this was demanded by the archbishop of York, it was answered that none was due, and the answer, after a long controversy, was confirmed by pope Clement III. in 1188. Hoved. 371.

CHAP. V.

earnest solicitation of his friends, visited Henry at Bure near Caen, and on his knees conjured his father to accept of his homage. The request was granted: and the prince, who mistrusted the natural affection of a parent for his child, reposed without fear on the artificial tie, with which custom bound the lord to his vassal. The two kings sailed to England together: and for several weeks, to convince the nation of their mutual confidence, ate daily at the same table, and slept every night in the same bed.[182]

Apr. 1.

May 8.

Triumphant over his enemies, and at peace with his children, Henry was at last permitted to enjoy a few years of repose. He did not, however, waste his time in idleness, but devoted his attention to two very important objects, the investigation of the conduct of his officers, and the reform of the internal polity of his dominions. That the reader may appreciate his views, and trace their influence on our present institutions, it will be necessary to describe the manner in which justice had been hitherto administered, and to point out the alterations, which were introduced partly by the wisdom, and partly by the avarice, of the king. I. The reader has seen that the Norman conquest, though it might modify, did not abolish, the judicial polity of the Anglo-Saxons. Its leading features were distinctly retained: and the

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[183] Diceto, 585, 586. Bened. Ab. ad. ann. 1175.

courts of the manor, the hundred, and the county, still continued to exercise their ancient powers. Of these tribunals, some were invested with criminal jurisdiction: all were competent to decide the civil controversies of the individuals who owed them suit and service, and who, in reality, formed the great mass of the population. Their authority, however, as it was supposed to be in the first instance derived from the crown, was occasionally limited or invaded by the royal prerogative. The king, on the payment of a discretionary fine, was accustomed to withdraw any particular cause from the cognizance of these to that of his own courts: he received and heard the appeals of persons who deemed themselves aggrieved by their decisions; he occasionally instituted inquiries into the manner in which they administered justice; and, in cases of delinquency, imposed heavy amercements on the judges themselves, or on the lords in whose courts they presided.[183] Of such inquiries Henry himself has furnished us with a remarkable, and, in the result, a ludicrous instance. In the year 1170, after a long absence on the continent, he returned to England, held a great council, and issued commissions to several abbots and knights, to visit the different counties, and investigate the conduct

[183] See Glanville, viii. 9. Hale, Hist. of Common Law, c. and Madox, c. xiv.

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of all the inferior magistrates for the last four years,—what sums of money had come into their hands, and from what sources such moneys were derived; what fines they had received from culprits, what offenders they had suffered to escape unpunished, and in what manner they had disposed of the chattels of felons. The commissioners were authorized to call witnesses, and examine them upon oath, and to require security from the accused that they would appear before the king, on a certain day, and submit to his judgment. On the fourteenth of June, all the prelates, earls, barons, sheriffs, and lords of courts, with their judges, bailiffs, and officers, were in attendance. The sheriffs and others, holding situations under the crown, were first displaced, and then, on the payment of fines, restored to their offices: the rest, after a short suspense, were relieved from their anxiety; and as soon as they had consented to the coronation of the young Henry, and sworn fealty to him, were dismissed to their homes without charge or molestation.[184]

King's court.

II. The highest tribunal in the kingdom was called "the king's court;" the assessors of which were the prelates, earls, barons, and principal officers of his household. Here the tenants in chief of the crown were tried by their peers. The monarch himself presided, unless he were

[184] Gervase, 1410—1412. Hoved. 296.

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a party, in which case he appointed a president, and frequently assumed the office of prosecutor. It was, occasionally at least, a most iniquitous tribunal, the instrument of legal oppression in the hands of a vindictive sovereign. The numerous obligations and intricate polity of the feudal system furnished at all times a supply of charges against an obnoxious baron or prelate: and it was very seldom that any peer dared to incur the royal displeasure by standing up in the defence of innocence. The victim was generally condemned in the forfeiture of his goods and chattels. As he was then "at the king's mercy," the efforts of his friends were employed to obtain from the monarch a diminution of the fine, which he was expected to accept as a compromise. Still, as we have seen in the prosecution of archbishop Anselm under William Rufus, and that of archbishop Becket in the present reign, it remained in the power of the king to multiply his charges, and thus, by adding fine to fine, eventually crush the object of his resentment.

It was, however, at certain periods only that the "king's court" could be held in its full splendour, attended by all its suitors. At other times its judges consisted of the chief justiciary, the chancellor, and the treasurer, ministers whose continuance in office depended on the royal will; of the constable, chamberlain, mareschal, and steward, who held their respective dignities

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by hereditary right;[185] and of certain among the royal chaplains and clerks learned in the law, who were appointed by the monarch, and styled his justices. This tribunal possessed all those different powers which have since been distributed among the three courts of the king's bench, the common pleas, and the exchequer: but at what period this distribution actually took place, it is now difficult to ascertain. The court of exchequer is certainly the most ancient, and was originally of the highest importance. It examined the accounts of the sheriffs, and of all the king's officers, regulated the royal revenue, tried the pleas of the crown, and imposed fines

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[185] 1. The chief justiciary was the first officer in the kingdom. He presided in the council, was regent in the king's absence, and united in himself all the powers attendant on the functions of chief judge. 2. The office of chancellor has been already noticed. 3. The treasurer attested the writs issued for levying the revenue, and supervised the receipts and issues of the exchequer. Madox, i. 2.

The constable and mareschal had military commands, arranged the army, and inquired whether each military tenant had furnished the requisite number of men (Rym. ii. 783). Besides which the constable took cognizance of contracts of feats of arms out of the realm (Stat. 13 Rich. II.), witnessed the same papers as the treasurer, examined at the exchequer the accounts of the hired troops, and received as his fee twopence in the pound out of their pay (Dial. de Scac. i. 10. Rym. ii. 161). The mareschal watched over the security of the king's person in the palace, distributed lodgings to his followers, preserved peace in the royal household, and gave certificates to the barons that they had performed their contracts for military service (Ibid.). The chamberlain and steward performed almost the same offices as belong to the lord chamberlain at present.

on the tenants in chief for neglect of service, and the non-payment of aids, scutages, and amercements. It was at first fixed at Winchester: but for convenience was often removed to London to be nearer the king's person.[186] The necessity, however, of detecting and punishing the frauds committed against the revenue at a distance from the court, suggested the idea of "barons errant," or "itinerant justices." They had been occasionally employed in former reigns: [187] in the present they acquired a more permanent establishment. In his twenty-second year, the king assembled a great council at Northampton, and divided the kingdom into six districts, to each of which he assigned three perambulatory judges. These districts nearly coincide with the circuits of the present day:[188] and it is chiefly to the wisdom of Henry that we owe an institution, the benefits of which are annually experienced by the country. Yet, if we were to attribute it to a love of justice alone, we

Itinerant judges.

1176.

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[186] The order of precedency in the exchequer was, 1. the chief justiciary, 2. the chancellor, 3. the constable, 4. the chamberlain, 5. the mareschal. Dial. de Scac. i. 8. These were the magni, quibus inconsultis, nil magnum fieri debebat. Rym. ii. 161.

[187] In the 18th of Hen. I. and 12th, 13th, 15th, and 17th of Henry II. See Madox, 98—102.

[188] The chief difference lies in the home circuit, which formerly comprised Kent, Surrey, Sussex, Hampshire, Berkshire, and Oxfordshire, but has now lost the three latter, and received in their place Hertford and Essex, originally belonging to the Norfolk circuit. Hoved. 313. Bened. Abb. i. 136. Diceto, 588.

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Their instructions.

should allot to him a higher praise than he really deserves. It is evident from the instructions delivered to the judges, that his first and principal object was his own emolument. They were authorized and directed to look after the king's interest to the best of their power [189]—to hold pleas of the crown, provided the value did not exceed half a knight's fee—to try malefactors of all descriptions—to receive the oath of fealty to the king from all earls, barons, knights, freemen, and villeins:—to inquire what wards were or ought to be in the guardianship of the king, their sex and quality, the present possessors, and the value of their estates—what females were or ought to be at the disposal of the crown, whether they were married or not, and if married, to whom, by whose permission, and what was the rental of their property [190]—what churches were in the gift of the crown, their situation and annual value, who were the incumbents, and by whom they were presented—what lands had lapsed to the crown, who held them, what was their value, what their tenure—what encroachments had been made on the royal forests, or demesnes—who had violated

[189] Intendant pro posse suo ad commodum regis faciendum. Hoved. 314.

[190] Sometimes the king extorted fines for marriage from the parents of both parties. Thus Adam Fitz-Norman paid 18*l.* 6*s.* 8*d.* that his daughter might marry the son of William Lecley; and William Lecley paid 22*l.* 8*s.* that his son might marry the daughter of Adam Fitz-Norman. Rolls of 31st of Henry II. Rot. 5. *a.*

the statutes respecting weights and measures—what sheriffs and bailiffs had received fines of defaulters—what was become of the chattels of christian, or of the chattels, pledges, debts, and deeds, of jewish usurers after their death [191]—and lastly to inquire into the state of the coinage, the clipping of the coin, the exchange, burglaries, outlawries, the removal of markets without licence, the introduction of new customs, and the taking of bribes to exempt tenants from provisioning the royal castles.[192] I have mentioned all these different articles, because there is hardly one, which has not for its object to bring money into the exchequer.

Pleas of the forest.

Besides these courts there were others which had been established for the trial and punishment of one particular species of offence, and which at all times were objects of general execration. The reader must have observed that the chase formed the principal amusement of our Norman kings, who for that purpose retained in their possession forests in every part of the kingdom, and seemed to watch with greater solicitude over the preservation of their

[191] A living usurer might repent, and therefore did not forfeit his property; but the goods and chattels of the dead were forfeited to the king; his lands to his lord. Glanville, vii. 16. But the severity of this law was afterwards relaxed in favour of the Jews. John in his charter, anno 2, says, et cum Judæus obierit, non detineatur corpus suum super terra, sed habeat hæres suus, pecuniam suam et debita sua. Madox, 174. Note.

[192] Compare Hoveden, 314, with Bracton de Leg. Ang. iii. tr. ii. c. 1.

CHAP. V.

deer, than over the lives of their subjects. The royal forests had their own officers and magistrates; they were governed by a peculiar code of laws: and their immunities were jealously maintained in the court of the chief forester, a bloody tribunal, in which the slightest offence was punished with the loss of eyes or members. Henry at his accession, whether it were through humanity or avarice, had abolished the barbarous enactments of his predecessors, and substituted the penalties of fine and imprisonment. On one occasion his ingenuity contrived to draw considerable profit from this improvement. During the civil war between him and his sons, the royal authority in England had been despised; first the rebels, and afterwards the royalists, hunted in the king's forests with impunity: and the justiciary thought it more prudent to connive at the destruction of the deer, than to alienate by untimely severity the best friends of his master. It was even said that Henry had by a general order thrown open the forests to all, who should take up arms in his favour. As soon, however, as peace was restored, he appointed itinerant justices to inquire into all offences against the laws of the forest. Before them were summoned both laity and clergy, men of the highest as well as the lowest rank, and were compelled upon oath to discover every delinquent, whose name had come to their knowledge, whether they had been eye-witnesses

of the offence, or had only learnt it by hearsay from others. Prosecutions were immediately commenced: multitudes were convicted: and the royal coffers were replenished by these violent and ungracious proceedings.[193]

1184. Occasionally, to hold pleas of the forest, the chief justice made his circuit attended by his assessors. But on the death of Thomas Fitz-Bernard, the master-forester, Henry took occasion to abolish that office, and in place of the milder punishments, which had been introduced by himself, revived the sanguinary inflictions of former reigns. At the same time he divided the royal forests into several districts, in each of which he appointed two clergymen and two knights as judges, and two gentlemen of his household, with the titles of keepers and verderers. These officers were bound upon oath, not to accept of fines from delinquents, but to inflict bodily punishment without any mitigation: to prevent the proprietors of timber within the forests from cutting it down to waste; and to allow no inhabitant to keep bows, dogs, or greyhounds without a royal warrant.[194] Hence, if the reader consider the number and extent of the forests, and the many hamlets and lordships comprised

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[193] Hoved. 311. Bened. Abbas, i. 112. Diceto, 587. These fines were occasionally very high. In Henry's twelfth year the bishop of Salisbury paid 75*l.* 7*s.* and in his twenty-second, Adam de Brus paid 100*l.* for having taken a roe-buck. Vid. Exchequer Rolls, apud Madox, c. xiv.

[194] Bened. Abb. ii. 417.

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within their precincts, he may form an estimate of the vexatious prosecutions, and barbarous mutilations, of which the forest-laws were productive. But the despot sought only his own amusement; he despised the murmurs and sufferings of his peeple.[195]

Commo pleas.

Neither was it only from pleas of the crown or of the forest that the king derived profit: even common pleas between subject and subject brought a plentiful harvest to the exchequer. Whether an action was commenced or discontinued, hastened or retarded, terminated or carried before a higher tribunal, the monarch at each step required a present or fine from one or both of the parties. Before the pleadings began, it was always necessary to pay a sum of money to the treasurer, and frequently to enter into a bond to double the amount in the event of a favourable judgment. In actions for debt the plaintiff was compelled to promise a portion of such sum or sums as he might chance to recover: and this portion was fixed by a preliminary negotiation, often at one half, seldom at less than one fifth of the whole demand. It was universally understood that money possessed greater influence than justice in the royal courts: and instances are on record, in which one party has made the king a present to accelerate, and the other by a more valuable offer has succeeded in

[195] Pet. Bles. ep. 95.

retarding, the decision. If the defendant was opulent, he could easily defeat the just claim of an indigent plaintiff, unless the latter obtained the aid of powerful friends. By paying a large fine, the rich man might purchase a writ forbidding him to answer at all: or he might obtain a charter exempting him from the jurisdiction of all other magistrates, and permitting him to plead before no one but the king in person.[196] That such practices were incompatible with the equal administration of justice, is most evident: yet the writers of the age do not mention them in terms of reprobation. They had prevailed to a certain extent under the Anglo-Saxon princes: and men seem to have been reconciled to the iniquity of the thing, on account of its antiquity. But besides the fines paid to the sovereign, the judges often exacted presents for themselves, and loud complaints existed against their venality and injustice. Henry, who did not admire in others that love of money, which he cherished in his own breast, laboured to remedy this abuse. All the itinerant judges, within three years after their appointment, were removed, with the sole exception of Ranulf de Glanville, who, at the head of five others, was now commissioned

Bribery of the judges.

[196] Fines of all these different descriptions are to be found annually in the rolls of the exchequer. Apud Madox, passim. When fine amounted to 500 marks, an additional mark of gold was due to the queen. Dial. de Scac. ii. 26.

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to administer justice in the counties north of the Trent. The rest of the kingdom was divided into three portions: the powers formerly possessed by the chief justiciary were conferred on the bishops of Winchester, Norwich, and Ely; and one of these, with four assessors, was appointed to hold pleas in each of the three districts.[197] The king's motive for the selection of these prelates was the reliance which he placed on their integrity and honour: but as soon as the pontiff heard of their appointment, he wrote to Richard, archbishop of Canterbury, observing that it was the duty of pastors to feed their flocks with the doctrine of the gospel, not to act the part of secular magistrates, and commanding him to recall the bishops from the courts in which they presided, to the care of the dioceses for which they had been ordained. The primate in his answer did not deny the prohibition of the canons; but he endeavoured to justify the innovation from its great utility both to the church and to the people.[198] It would seem, however, that the objections of Alexander prevailed. In August the three prelates, having made to the king a report of their proceedings, resigned their offices: and the appointment of chief justiciary was given to Ranulf de Glanville. That celebrated lawyer, in the preface to his work, assures us that there was not now in the king's

[197] Diceto, 606. Hoved. 337.

[198] Pet. Bles. ep. 84.

court a judge, who dared to swerve from the path of justice, or to pronounce an opinion inconsistent with truth: and yet, if we believe the story, told by a contemporary, of Gilbert de Plumpton, we may doubt whether the character of Glanville himself was perfectly immaculate. Plumpton, a knight of noble descent, had married a lady, whom with her fortune the justiciary had previously promised to Rainer, his sheriff of Yorkshire. To effect his purpose it now became necessary to dispose of her husband: the unfortunate man was suddenly apprehended on a charge of felony: and the king, at the representation of Glanville, condemned him to suffer death. His innocence, however, was so manifest, that the bishop of Worcester accompanied him to the gallows, and ventured to forbid the execution. His life was spared till Henry could be consulted. The result was, that Plumpton was remanded to prison, where he remained till the accession of the next sovereign.[199] CHAP. V. 1184.

III. The ancient custom of appealing in criminal cases to the judgment of God was still retained: but to the ordeals of fire and water employed by the Saxons, the Normans, as was observed in the reign of William I., had superadded the trial by wager of battle. Wherever the itinerant judges held pleas, they summoned four knights of the hundred to appear before Trial by ordeal.

[199] Hoved. 355.

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them, and to choose twelve other knights, or, in the absence of such, twelve other free and lawful men, to form a sufficient jury. The duty of the jury may be collected from their oath. They were sworn to answer truly to all questions, which should be put to them from the bench, and to perform faithfully every command which they should receive from the judges in the king's name.[200] They were then ordered to present at the bar all persons within the hundred being under suspicion of having committed murders, felonies, forgeries, or breaches of the king's peace. On their unanimous presentment, the accused was arraigned before the judges, and, if he pleaded not guilty, was sent by them to the ordeal by water. In case of conviction by this trial sentence was immediately pronounced, and the prisoner was condemned, according to the nature of his offence, to suffer either death, or the confiscation of his property, with the amputation of a foot and a hand, and banishment for life.[201] I shall relate one instance of conviction by the water ordeal, as it will also shew the disturbed state of the metropolis at this period. It had long been customary for the young men, the sons and relatives of the more wealthy citizens, to assemble in great numbers after sunset, to scour the

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[200] Bracton, iii. c. 1. Glanville, ii. 10, 11.

[201] Bened. Abb. i. 136. Hoved. 313.

streets in quest of adventures, and to divert themselves by exciting the terrors of the peaceable inhabitants. By degrees they proceeded to acts of violence, occasionally of robbery and murder. In the year one thousand one hundred and seventy-four a numerous band of these youthful depredators burst into the house of a citizen, who had armed his family to receive them. The assailants were put to flight: but their leader, Andrew Buquinte, who had lost a hand in the fray, remained a captive. In the hope of pardon this man impeached his accomplices, among whom was John Senex, one of the most opulent and "noble" citizens. It was in vain that Senex denied the charge, and appealed to the judgment of God: he was convicted by the water ordeal, and condemned by the chief justiciary to be hanged. He had, however, sufficient influence to suspend the execution of the sentence, till the arrival of the king, and then to an indefinite period. Unfortunately for him, about three years later, the brother of the earl Ferrers was slain in a similar fray: and the king, unable to discover the murderers, issued his warrant for the immediate execution of Senex. Though five hundred marks were offered for his life, they were refused: and his fate, an awful warning to his former associates, restored the peace of the city.[202]

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[202] Bened. Ab. 196, 197. Hoved. 323.

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It would be a mistake to suppose, that acquittal by the ordeal fully established the innocence of the accused. His life, and limbs, and personal property, were indeed secure: but it was still true that he had been presented as guilty by the unanimous voice of the jury, and it was deemed wise to take precautions against him, as at best a suspicious character. If the offence with which he had been charged, were only a misdemeanor, he was enlarged on finding sureties for his future conduct; but if it were of a more serious nature, he was compelled to leave the kingdom. He might, however, take with him his personal property, and hope from the royal indulgence the permission to return at some distant period.[203]

Trial by wager of battle in the courts of law.

Such appear to have been the proceedings on presentments by jury: but it frequently happened that the prisoner was brought to his trial, charged only by the voice of public fame, or at the prosecution of a private individual. The proceedings varied according to the nature of the offence: I will instance those which took place in cases of homicide and murder.[204] If the charge rested on common report, the judges, by inquest and interrogations, endeavoured to ascertain its truth: and in conclusion either acquitted the accused, or ordered him to prove his innocence by the legal number of compurgators. If a pro-

[203] Bened. Abb. 136. Hoved. 313. [204] Murder now meant the violent but secret death of a freeman; when the death took place before witnesses, it was termed homicide.

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secutor appeared, before he could put in his charge, it was necessary, in cases of murder, that he should prove himself to be of the blood of the deceased; in cases of homicide, that he was allied to the slain as a relation, or vassal, or lord, and could speak of the death on the testimony of his own senses. The accused might then plead not guilty, and, at his option, throw down his glove, and declare his readiness to defend his innocence with his body. If the appellant took up the glove, and professed himself willing to prove the charge in the same manner, the judges, unless the guilt or innocence of the accused were evident, proceeded to award a trial by battle. The appellee, with the book of the gospels in his right hand, and the right hand of his adversary in his left, took the following oath: "Hear me, thou, whom I hold by "the hand. I am not guilty of the felony, with "which thou hast charged me. So help me God "and his saints. And this will I defend with "my body against thee, as this court shall "award." Then exchanging hands, and taking the book, the appellant swore, "Hear me, thou, "whom I hold by the hand. Thou art perjured, "because thou art guilty. So help me God and "his saints. And this will I prove against thee "with my body, as this court shall award." On the day appointed by the court the two combatants were led to battle. Each had his head, arms, and legs bare, was protected by a square

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target of leather, and employed as a weapon a wooden stave one ell in length, and turned at the end. If the appellee was unwilling to fight, or in the course of the day was unable to continue the combat, he was immediately hanged, or condemned to forfeit his property, and lose his members. If he slew the appellant, or forced him to call out "craven," or protracted the fight till the appearance of the stars in the evening, he was acquitted. Nor did his recreant adversary escape punishment. If he survived the combat, he was fined sixty shillings, was declared infamous, and stripped of all the privileges of a freeman.[205]

In the court of chivalry.

In the court of chivalry the proceedings were different. When the cause could not be decided on the evidence of witnesses or the authority of documents, the constable and mareschal required pledges from the two parties, and appointed the time of battle, the place, and the weapons, a long sword, a short sword, and a dagger; but allowed the combatants to provide themselves with defensive armour according to their own choice. A spot of dry and even ground, sixty paces in length, and forty in breadth was enclosed with stakes seven feet high, around which were placed the serjeants at arms, with

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[205] Glanville, xiv. 1. Bract. iii. 18. Spelm. Arch. 103. If the appellee were sixty years of age, or had been wounded in the head, or had had a limb broken; he was at liberty, if he preferred it, to go to the ordeal, of hot iron if he were a freeman, of water if he were a villein. Glan. xiv. 1.

other officers to keep silence and order among the spectators. The combatants entered at opposite gates, the appellant at the east, the defendant at the west end of the lists: and each severally swore that his former allegations and answers were true: that he had no weapons but those allotted by the court: that he wore no charms about him: and that he placed his whole confidence on God, on the goodness of his cause, and on his own prowess. Then taking each other by the hand, the appellant swore that he would do his best to slay his adversary, or compel him to acknowledge his guilt: the defendant, that he would exert all his powers to prove his own innocence. When they had been separately conducted to the gates at which they entered, the constable sitting at the foot of the throne, exclaimed thrice, "let them "go," adding to the third exclamation, "and "do their duty." The battle immediately began: if the king interposed, and took the quarrel into his own hands, the combatants were separated by the officers with their wands, and then led by the constable and mareschal to one of the gates, through which they were careful to pass at the same moment, as it was deemed a disgrace to be the first to leave the place of combat. If either party was killed, or cried "craven," he was stripped of his armour on the spot where he lay, was dragged by horses out of the lists through a passage opened in one of the

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Trial by grand assize.

angles, and was immediately hanged or beheaded in the presence of the maresehal.[206]

Trial by battle was not only awarded in eriminal prosecutions, but also in eases, where issue was joined on a writ of right, or where the tenant denied that he owed the serviees elaimed by his lord, or the seller that he had warranted the artiele bought, or the debtor that he had borrowed money on promise, security, or mortgage. In all such aetions it was at the option of the defendant to fight in person, or to produce a lawful ehampion: the demandant was excluded from the lists, and eompelled to intrust the defenee of his elaim to the prowess of a freeman who would swear of his own knowledge to the right of his prineipal.[207] But here the king made a most important and benefieial improvement, by allowing trial by grand assize to supersede the doubtful trial by battle. The defendant might solicit a writ to stop the process by duel: on whieh the demandant, if he meant to proseeute his elaim, was compelled to obtain a writ to proeeed by grand assize. The sheriff in eonsequenee impannelled a jury, after the manner which has been already deseribed. They were sworn to judge of the matter in dis-

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[206] See a treatise on this subjeet by Thomas of Woodstock, duke of Glocester, preserved by Spelman. Arehaeol. 100.

[207] Glanville, ii. 3. The champion was named in open court. It was a sufficient cause of exception against him, to prove that he had been hired for a reward.

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pute from their own knowledge, or the report of persons, whose testimony they would believe no less than that of their own senses: and an unanimous verdict was obtained by discharging those, who pleaded ignorance of the subject, and by substituting others better informed in their place. The superior equity of this mode of decision was universally admitted: and its adoption gradually prepared the way for the introduction of similar innovations in the other departments of public justice.[208]

Henry is umpire between the kings of Castile and Navarre.

Henry never exercised his judicial duties with greater spendour, than in the important cause between Alphonso, king of Castile, and his uncle, Sancho, king of Navarre. After a long and ruinous contest, these princes agreed to refer their dispute to the equity of the king of England, and bound themselves under a severe penalty to submit to his decision. Henry held his court at Westminster, attended by the English and Norman prelates, earls, barons, and justices. The bishop of Palentia appeared on the part of Alphonso, the bishop of Pampeluna on that of Sancho. But as the judges were ignorant of the language of the advocates, the pleadings were committed to writing, and translated by the aid of interpreters; and after three days, the king, having previously taken the opinion of

March. 1177.

[208] Glanville, ii. 7, 8, 9. 11. 17. He calls it regale beneficium clementia principis de consilio procerum populis indultum, ii. 17.

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the court, solemnly pronounced his award: that each prince should restore the lands and castles claimed by the other, and that Alphonso should pay to his uncle in the next ten years, thirty thousand maravedies by equal instalments. The ambassadors accepted the judgment, and swore that if their respective sovereigns refused to execute it, they would return and surrender themselves prisoners into the hands of the king.[209]

He punishes a sect of fanatics.

I shall here mention, on account of its connexion with the administration of justice, an occurrence which happened at a more early period. In 1166, a colony of foreigners, to the amount of thirty of both sexes, landed in England, under the guidance of a teacher named Gerard. They belonged to a numerous sect of fanatics who infested the north of Italy, and the neighbouring provinces of Gaul and Germany, and who were called Cathari, or "the pure," because they taught that the use of marriage was incompatible with salvation. They had come to disseminate their doctrine in England: but their success was confined to the acquisition of one female proselyte. The case was without precedent; and the king, after much deliberation, ordered them to be apprehended, and arraigned before a synod of bishops, at which he assisted in person. To the questions put to

[209] Rymer, i. 45—50. Hoved. 320. 322. Hiber. Expug. ii. 30.

them, they replied that they were christians' that they professed the doctrine of the apostles' and believed the divinity of Christ; but at the same time they rejected baptism, the eucharist, and marriage. When arguments were employed to convince them, they merely replied, that it was their duty to believe, not to dispute: and to the threat of punishment, they opposed the words of the gospel: "Blessed are they "which are persecuted for righteousness' sake." Wearied out by their obstinacy, the synod pronounced them heretics, and transferred them to the secular power. The English woman, who does not seem to have been ambitious of the crown of martyrdom, eagerly recanted: the foreigners, by order of the king, were branded in the forehead, stripped to the waist, and whipped out of the city. One writer informs us that they all perished in the fields, in consequence of a proclamation forbidding any one to hold intercourse with them: but the dean of St. Paul's, who probably attended the synod, and two other contemporaries, assert that after suffering their punishment, they were conducted out of the realm.[210]

[210] Newbrig. ii. 13. Expulsos a regno. Diceto, 539. In frontibus sunt signati et effugati. Rad. Coggesh. cit. Picard in not. ad Newbrig. p. 721. These fanatics under different names spread themselves through Gaul. Ubique exquirebantur et perimebantur, maxime a Philippo comite Flandrensium, qui justa crudelitate eos immisericorditer puniebat. Ibid. The usual punishment was burning: but Henry forbade it in his continental dominions. Hov. 352.

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Henry aids the christians in Asia.

The eyes of all the European nations were directed at this period to the distresses of the christians in Palestine. The throne of Jerusalem, which the crusaders had raised and supported at the expense of so much blood and treasure, was tottering on its basis: and the king, Baldwin IV., a minor and a leper, was no match for the talents and power of Saladin, who by successive conquests annually contracted the limits of the strangers, and threatened to eradicate them in a few years from the soil of Asia. Henry, in the presence of the papal legates, had solemnly sworn to visit the holy land. Whether he intended to perform this vow, is uncertain: but the danger of exposing his dominions to the inroads of a powerful neighbour furnished him with a decent plea for deferring its execution. Louis, however, made the proposal to accompany him in the expedition. The objection could be no longer urged: a day was fixed for their departure: and the two princes swore, Henry, that he would assist his lord the king of France, Louis that he would assist his faithful vassal the king of England, against all men. This plan was defeated by the subsequent illness and death of Louis: and Henry, though he affected to be constantly occupied with the project, allowed year after year to pass, without finding an opportunity to put it in execution. At last his sincerity was probed by the arrival of the patriarch of Jerusalem, and the grand mas-

1177. Sep. 21.

ter of the knights hospitallers, with letters from queen Sybilla, and the earl of Tripoli, the regent. They cast themselves at the feet of the king, solicited his powerful aid, and delivered to him, as the representative of Fulk of Anjou, whose descendants had swayed the sceptre for the last fifty years, the royal banner, with the keys of the city, of the principal forts, and of the holy sepulchre. Henry returned them with expressions of pity, but requested the ambassadors to wait, till he had received the advice of his council. He summoned the prelates and barons of England, the king, prelates and barons of Scotland, to meet him at Westminster: and after engaging to abide by their counsel, artfully put to them the following question: was it better for him to remain at home, and govern the nations which Providence had intrusted to his care, or to proceed to the east, to defend the christians of Palestine against their infidel neighbours? The answer was what he had undoubtedly anticipated: and to the disappointment of the envoys the king, in lieu of his personal services, promised them a subsidy of fifty thousand marks.[211]

CHAP. V. 1185. March 11.

But on the twenty-ninth of September 1187, ninety-six years after its reduction by the first crusaders, Jerusalem was again surrendered into the hands of the Musselmans. The news

Surrender of Jerusalem.

[211] Rym. i. 50. Ben. Abb. ii. 429. Hov. 325. 358. Diceto, 626.

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of this mournful event plunged the christian world into the deepest consternation. The aged pontiff died of a broken heart: William king of Sicily, wore sackcloth for four days, and vowed to take the cross: the other princes condemned their indolence, and the avarice which had prompted them to prefer their own petty interests, before that which they deemed the common cause of the christian religion.[212] Henry met Philip, the new king of France, in a plain between Gisors and Trie, where the archbishop of Tyre, a port, which still bade defiance to the power of Saladin, exhorted them to rescue the holy city from the pollution of the infidels; and the two kings, the earls of Flanders and Champagne, and a great number of barons and knights, received the cross. Thence the king hastened to England, and held a great council at Gidington, in Northamptonshire, in which it was enacted, that every man, who did not join the crusade, should pay towards the expense of the expedition one tenth of his goods, chattels, and rents for that year. The lords of manors, who intended to accompany the king, were permitted to receive for their own use, the assessments of their vassals: those of all others, were

1188. Feb. 11. The king takes the cross.

[212] But it was not merely religious feeling which animated the crusaders. Many were alarmed for their own safety. Jam, says Peter of Blois, circa confinia terræ nostræ barbaries efferata desævit, et in exterminium christiani nominis gentium grassatur immanitas. Bles. ep. 112.

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to be paid into the exchequer. The sum obtained by Henry, was seventy thousand pounds; to which must be added, sixty thousand more, extorted from the Jews, at the rate of one fourth of their personal property.[213] At the same time, he wrote to the emperors of Germany and Constantinople, and to Bela, king of Hungary, announcing his design, and requesting a safe passage through their dominions, with the liberty of a free market. From all he received favourable answers: and there can be little doubt, that he would have undertaken the expedition, had he not been involved in hostilities with the king of France, by the turbulence of his son Richard, and had not his pacification with that monarch been quickly followed by his death.

Second rebellion of his sons.

The reader will not have forgotten the rebellion and pardon of Henry's sons. These princes excelled in every martial exercise of the age. The elder, laying aside the state and title of king, had spent three years on the continent as a private adventurer, displaying his prowess in every tournament, and frequently carrying off the prize of valour:[214] his example was eagerly imitated by his brothers Richard and Geoffry: and the father listened with pride to the reports of the victories won, and of the admiration excited, by his children. Modern writers have de-

[213] Gervase, 1522. 1529. Hoved. 366.

[214] Præ universis mortalibus obtinuit gloriam, et supereminentiam militiæ sæcularis. Pet. Bles. ep. 2.

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scribed the profession of chivalry as the school of honour and probity; unfortunately history has preserved few traits of these virtues in the characters of the ancient knights. The king's sons were indeed brave, bountiful, and accomplished; but their bravery was often stained with cruelty: their bounty was fed by violence; and their accomplishments served only to display in clearer colours their perfidy and ingratitude.

1183. When Henry commanded Richard to do homage to his elder brother for the dutchy of Aquitaine, the high-spirited prince refused. He had done homage, he said, to his father from whom he received it, and to the king of France, who was its sovereign lord: but to his brother he did not owe, and therefore would not promise, either service or fealty. The affront sank deep into the mind of the young king, who sought, and soon found, an opportunity of revenge. Richard ruled his subjects with a sceptre of iron. His exactions were incessant: the slightest disobedience was instantly visited with severe punishment; and no female, unless within the walls of a castle, was safe from the insults of the prince or of the lawless banditti that executed his orders. His barons rebelled; and at their invitation the young Henry, with his brother Geoffry, and an army of Brabanters and Bretons, invaded the dutchy. The king hastened to put an end to this unnatural war; called his children before him; and apparently reconciled them to

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each other. From our ignorance of the motives which secretly swayed the three princes, we obtain but a dark and indistinct view of the events which followed. Richard appears to have remained with his father: first Henry, and then Geoffry, revolted: both returned with professions of regret to their duty: and both again unfurled the standard of rebellion. Plots were laid against the life of the king. On one occasion, as he advanced to speak with Henry, he was received with a volley of arrows, one of which pierced his cuirass, but only inflicted a slight wound; on another, as he was going to confer with Geoffrey, his horse was shot through the head. The bishops of Normandy, by command of the pope, excommunicated the authors, and the fomenters of the war:[215] but the two brothers persevered in their hostility, supported their followers with the plunder of the husbandmen and the churches; and fixed the festival of Whit-monday to give battle to their father. But before the day arrived, fatigue and anxiety had thrown the young Henry into a fever, which speedily baffled the skill of his physicians. When he was informed that he had only a few hours to live, his soul became agitated with fear and remorse. He dispatched a messenger to his father to implore forgiveness, and to solicit as a last favour that he would visit his dying but sor-

Death of prince Henry.

[215] Pet. Bles. ep. 47. 69.

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rowful son. The king was inclined to go: his friends, apprehensive of some new plot, dissuaded him. Taking therefore a ring from his finger, he bade the archbishop of Bourdeaux to bear it to the prince as a token of his love and forgiveness. The young Henry pressed it to his lips, confessed his sins in public, and ordered the bishops to lay him on a bed of ashes prepared in the middle of the room, where he received the

June 11. sacraments and expired.[216] His death dissolved the confederacy; and Geoffry was pardoned, though his castles were seized and garrisoned by the king. The prince, however, felt no gratitude for the lenity with which he had been treated; and on the refusal of a demand which he made of the earldom of Anjou, repaired to the court of Philip, the French king, where he

And of Geoffry. 1186. Aug. 19. died, while he was contriving new troubles for his father. Henry did not lament his loss: by Philip he was buried with extraordinary pomp, and demonstration of sorrow.[217]

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[216] Diceto, 617. Hov. 352. Gervase, 1432, 1433.

[217] Hoved. 360. Diceto, 630. Here it may, perhaps, be observed that at this period every man, who pretended to any knowledge of astronomy, was by profession, an astrologer: that these sages annually published their predictions; and that in the present year 1186 all the christian nations both Greek and Latin were terrified with the expectation of the evils, which would follow the conjunction of most of the planets in the sign Libra on the 16th of September. A pestilential wind, accompanied with earthquakes, was to sweep the face of the earth, overturning trees and houses, and burying in sand the towns of Egypt, Ethiopia, and Arabia, and other arid regions. The mahometan astrologers in Spain derided

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Dispute concerning Adelais.

Many years had elapsed, since Adelais, the daughter of Louis of France, had been betrothed to Richard, and intrusted to the care of his father. Henry kept her in one of his castles, and anxiously excluded his son from her company. It was now rumoured that he was in love with her himself; and his character, joined to the attempt which he made to procure a divorce from Eleanor, gave strength to the general suspicion. If Richard troubled himself at all on account of the princess, it was merely on political motives; but Philip earnestly sought to preserve the reputation of his sister, and the honour of his family. He demanded Adelais for her husband; to his demand the pope added the threat of excommunication; but the wily monarch was able to defeat both the demands of the one, and the threats of the other, by deceitful promises, and evasive proposals. Though this conduct involved him in perpetual quarrels with the king of France, he kept her in his custody; and till his death it remained a problem, whether

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these predictions. They contended that the malignant influence of Saturn and Mars would be balanced by the benignity of Venus and Jupiter, and that the worst that could happen, would be a scanty harvest, many shipwrecks, and much bloodshed in battle (Hoved. 356—358. Bened. Abb. ii. 414). Fortunately Baldwin, archbishop of Canterbury, to avert these calamities, ordered a fast of three days throughout his province (Gervase, 1479); and as the season proved more than usually serene, the astrologers, to save their credit, were enabled to ascribe to the piety of the people the non-accomplishment of their predictions.

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she were the wife of the son, or the mistress of the father.

The interest, which Philip and Richard felt in the situation of Adelais, naturally connected these two princes, who, at the conclusion of an armistice under the mediation of the papal legates, returned together to Paris, and to prove that they looked on each other as brothers, ate at the same table, and slept in the same bed.[213] This intimacy alarmed the jealousy of the king: and Richard was ordered to return to his own territories. He obeyed: and during the repeated hostilities between Philip and Henry, aided his father, till his suspicions were awakened by the marked partiality of the king for his youngest son John, and by reports that the crown of England was destined for that prince. After a communication with Philip, both proceeded to a conference with Henry, in which the French king proposed, as the basis of a peace, that Adelais should be given up to Richard, and that Henry's vassals should swear fealty to that prince as the heir apparent. During the altercation which followed, Richard observed, that he was the eldest surviving son, and that his title to the succession ought to be recognised. The king returned an evasive answer. "Then," exclaimed the indignant youth, "I am compelled to believe that which I before

1188. Nov. 18. Richard joins the French king.

[213] Hoved. 362.

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"deemed impossible;" and instantly ungirding his sword, and kneeling at the feet of Philip, added: "To you, sir, I commit the protection of "my rights; and to you I now do homage for "all the dominions of my father in France." Philip replied, that he accepted him for his man, and restored to him all the castles which he had taken from Henry. The king, astounded at what he saw and heard, retired precipitately from the conference.[219]

1189. Jan. 14 Henry flies.

At the conclusion of the truce, hostilities recommenced. Richard, with most of the continental barons, joined the French king: and Henry, compelled to flee from his enemies, successively abandoned Mans, his birth place, the castle of Amboise, and the strong city of Tours. His health was much impaired, and as a precaution in case of his death, he required the seneschal of Normandy to swear that he would deliver the fortresses of that province to prince John: so little did he know that John himself had united in the confederacy against him. At the solicitation of the bishops, the two kings met in a plain near Tours, Philip exulting in the pride of victory, Henry with a mind subdued by misfortune. While they were conversing at a distance from the crowd, the lightning fell near them: soon after a second peal of thunder, still more tremendous, was heard: and

Consents to a peace.

[219] Hov. 370. Diceto, 641. Gervase, 1536. Bened. Abb. ii. 540.

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the agitation of the king became so great, that his attendants found it difficult to hold him on horseback. In this state he submitted to all the demands of his enemies: to pay a sum of twenty thousand marks as an indemnity to Philip; to permit his vassals to do homage to Richard; and to place Adelais in the hands of one out of three persons then named, who at the return of Philip and Richard from the crusade, were to deliver her to one or other of these princes. He had stipulated that a list should be given him of the barons who had joined the French king, a curiosity that planted a dagger in his breast: for the first name which caught his eye was that of his favourite son John. He read no further: but returning the paper, departed for Chinon with a broken heart. At first he sank into a deep melancholy: this was followed by a raging fever, in the paroxysms of which he called down the vengeance of heaven on the ingratitude of his children. Geoffry, the chancellor, and one of his natural sons, attended with pious sedulity the sick bed of his father. Henry thanked him for his affection, gave him with his blessing the ring from his own finger, and expressed a wish that he might be promoted to the archbishopric of York, or the bishopric of Winchester. On the seventh day all hope of his recovery vanished: and at his request he was carried into the church, and received at the foot of the altar the last consolations of religion. The moment he expired,

Dies.

the bishops and barons departed, while the other attendants stripped the corpse, and carried off every thing that was valuable. He was buried with little pomp in the choir of the convent of Fontevraud, in the presence of his son Richard, and a few knights and prelates.[220] CHAP. V. July 6.

By his queen Eleanor Henry had five sons, of whom only two, Richard and John, survived their father. His daughters were Matilda, Eleanor, and Joan, whose marriages may be briefly mentioned. 1. The husband of Matilda was Henry the lion, duke of Saxony, Bavaria, Angaria, and Westphalia, at one time the most powerful, afterwards the most unfortunate, prince in Europe. His arrogance united the whole empire against him. By a judicial sentence he was despoiled of all his dominions except his wife's dower, the cities of Brunswick and Lunenburgh: and was compelled to banish himself from Germany for the space of three years. It was during their exile that Matilda bore him a fourth son, William, from whom is descended the illustrious family, which now fills the imperial throne of these realms.— 2. Eleanor in her fourteenth year was married to Alphonso the good, king of Castile. Her son Henry succeeded his father: her four daughters became the queens of France, Leon, Portugal, and Arragon. 3. Joan, the youngest of His children.

[220] Hoved. 372. Gervase, 1545. Girald, Ang. Sac. ii. 381, 382. Newbrig. iii. 25. Bened. Abbas, ii. 543, et seq.

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the three sisters, at the age of eleven was conducted to Palermo and married to William the second, king of Sicily. She bore him no children: but her husband settled on her a princely dower, and by his will left to her father a table of gold twelve feet in length and one foot and a half in breadth, a tent of silk sufficiently capacious to hold two hundred persons, sixty thousand measures of wine, sixty thousand of wheat, and sixty thousand of barley, with one hundred galleys equipped and provisioned for two years. Probably he had made these preparations in consequence of his vow to join the crusade. Henry died three months before him: but his son Richard received from the successor of William twenty thousand ounces of gold as an equivalent for these bequests.[221]

Of the king's natural children the most celebrated were his sons by Rosamond, the daughter of Walter Clifford, a baron of Herefordshire. William the elder was born while Henry was duke of Normandy, Geoffry the younger about the time of his accession to the throne of England.[222] They were educated with the children of Eleanor, and destined for the highest offices in the church and state. William, who received the surname of "long-sword," married the heiress of another William, earl of

[221] Hoved. 385. Bened. Abb. ii. 612.

[222] He was older than prince Henry (Ang. Sac. ii. 878), who was born within four months after the death of Stephen. Diceto, 530.

Salisbury, and succeeded to the estates and titles of that powerful nobleman. Geoffry, before he had attained the age of twenty, was named to the bishopric of Lincoln. It was at the time of the first rebellion, and the prelate elect immediately assembled a body of armed men, and dispersed the northern insurgents. At the head of one hundred and forty knights he met his father, who embraced him, exclaiming: "Thou alone art my legitimate son: the "rest are bastards."[223] It was two years before he could obtain the confirmation of his election, on account of his youth: and seven years afterwards, though he continued to receive the revenues of the see, he was still a layman. At length the pope insisted that he should take orders, or resign the bishopric. He chose the latter: and attended his father in the quality of chancellor during the last war and at his decease. CHAP. V.

Their mother, before her death, had retired to the convent of Godstow, where she endeavoured by repentance to expiate the scandal of her former incontinence. Henry, for her sake, bestowed many presents on the nuns, who, through gratitude to her memory, buried her in their choir, hung a pall of silk over her tomb, and surrounded it with lamps and tapers. Hugh, bishop of Lincoln, disapproved of their

[223] Ang. Sac. ii. 380.

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conduct. Religion, he observed to them, makes no distinction between the mistress of a king and the mistress of any other person. By his orders her body was removed, and interred in the common cemetery.[224]

His will.

Henry had made his last will seven years before his death. It regards nothing but his personal estate: for the crown lands would of course descend to his successor. He bequeaths twenty thousand marks of silver to be divided into four equal portions for the support of the knights templars, of the knights hospitallers, of the different religious houses in Palestine, and for the defence of the holy land. He gives five thousand to the religious houses in England, three thousand to those in Normandy, and two thousand to those in Anjou. For the dower of indigent free women in England, that they may be married suitably to their estate, he leaves three hundred marks of gold, two hundred for the same purpose in Normandy, and one hundred in Anjou. Two thousand marks of silver were to be divided among the nuns of Fontevraud, where he wished to be buried, and ten thousand more were bequeathed to particular monasteries and convents. The will ends in the following manner: "And I "command you, my sons, by the faith which "you owe me, and the oaths which you have

[224] Hoved. 405.

"sworn to me, that you cause this my testa-
"ment to be inviolably fulfilled, and oppose
"no impediment in the way of my exeeutors:
"and if any man presume to do otherwise,
"may he incur the indignation and wrath of
"the almighty God, and the curse both of
"God and me. In the same manner I eom-
"mand you arehbishops and bishops to ex-
"communieate with lighted eandles all who
"shall presume to disturb this my will: whieh
"I would have you know, that the sovereign
"pontiff has eonfirmed with his signature and
"seal, under the threat of anathema."[225]

Assize of arms.

We are indebted to the eare of Henry for the first assize of arms. The conqueror had strietly enjoined that all freemen should be provided with competent arms: Henry gave to the itinerant judges the eharge to see that this injunetion was faithfully obeyed. In 1181 they reeeived instruetions to inquire with the aid of juries into the value of all freemen's rents and ehattels, to enrol their names in separate classes, to add after each the arms belonging to that elass, and to eause the schedule to be read in open eourt before those whom it eoneerned. Every military tenant was to possess a coat of mail, a helmet, a lanee and a shield for every knight's fee whieh he held: every free layman having in rent or ehattels the value

[225] Rym. i. 57.

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of sixteen marks, was to be armed in the same manner; but if he had only ten marks, he was to possess a habergeon, a scull cap of iron, and a lance; and all burgesses and freemen of smaller property were to have at least a jacket lined with wool, a scull cap of iron, and a lance. All were ordered to swear that they would provide themselves with these arms against the next feast of St. Hilary, to be faithful to king Henry, the son of the empress Matilda, and to keep their arms for the king's service, and with fidelity to the king and kingdom. An additional oath was taken at the same time, that they would not buy or sell ships to be carried beyond the sea, or send timber out of the kingdom.[226]

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[226] Ben. Abb. i. 365. Hoved. 350. I have translated maireman by the word timber, as it seems to be an error of the copyist for maremium.

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RICHARD I.

CONTEMPORARY PRINCES.

Emprs. of Ger.	*K. of Scotland.*	*K. of France.*	*K. of Spain.*	*Popes.*
Frederic I. 1190. Henry VI. 1197. Philip.	William.	Philip Augustus.	Alphonso IX.	Clement III.1191. Celestin III.1198. Innocent III.

CORONATION OF RICHARD—MASSACRE OF THE JEWS—CRUSADE—HE COMPELS THE KING OF SICILY TO SUBMIT—HE CONQUERS THE ISLAND OF CYPRUS—HIS EXPLOITS IN PALESTINE—HIS RETURN AND CAPTIVITY—TROUBLES IN ENGLAND—THE KING RANSOMED—HIS WARS IN FRANCE—AND HIS DEATH.

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Accession of Richard. 1189.

THE reader is already acquainted with the character of Richard, the eldest of the surviving sons of the late king. It was remarked that when he first saw the corpse of his father, he burst into tears: and this token of natural affection was hailed by the spectators as a proof of remorse. His subsequent conduct contributed more to turn the tide of public opinion in his favour. He dismissed his own counsel-

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lors, and called to his service those who had remained faithful to his father.[1]

To take formal possession of his transmarine dominions, and to settle the existing differences between the crowns of France and England, detained Richard a few weeks on the continent. But he immediately ordered his mother Eleanor to be liberated from her confinement, and invested her with the high dignity of regent. The queen dowager exercised her authority with prudence and moderation. As she proceeded in royal state from district to district, she distributed alms for the soul of her late husband, released the prisoners who had been confined without due process of law, forgave offences committed against the crown, restrained the severity of the foresters, and reversed the outlawries issued upon common fame. By proclamation she ordered all freemen to take the oath of allegiance to Richard, and to swear that they would be obedient to his laws.

Aug. 13. At her invitation the barons and prelates assembled at Winchester to receive their new sovereign, and the third day of September was fixed for the ceremony of his coronation.[2]

Coronation. Sep. 3.

At the appointed hour the procession moved from the king's chambers in the palace of Westminster. The whole way to the high altar in the church had been previously covered with crimson cloth. First came the clergy, abbots, and bishops, followed by two barons with the cap of state, and

[1] Hoved. 373. Brompt. 1155. [2] Ibid.

golden spurs, and two earls carrying the rod and sceptre. The three swords were borne by John the king's brother, David brother to the king of Scotland, and William earl of Salisbury: and to these succeeded six earls, and six barons carrying on their shoulders the different articles of royal apparel. The crown had been intrusted to the hands of the earl of Albemarle, who was followed by Richard himself, supported by the bishops of Durham and Bath. Over his head was borne a canopy of silk, stretched on four spears, and carried by four barons. Baldwin, archbishop of Canterbury, received the king at the altar, and administered to him the usual oath. Richard then threw off his upper garment, put on sandals of gold, was anointed on the head, breast, and shoulders, and received successively from the proper officers, the cap, tunic, dalmatic, sword, spurs, and mantle. Thus arrayed he was led to the altar, and solemnly abjured by the archbishop, not to assume the royal dignity, unless he were resolved to observe the regal oath. He renewed his promise, took the crown from the altar, and gave it to the prelate, who immediately placed it on his head. The ceremony of the coronation was now completed. Richard repaired to the throne; and, after the celebration of the mass, was re-conducted in state to his apartments.[3]

[3] Hoved. 374. Brompt. 1157. Gerv. 1549. Diceto, 647. I have described the ceremony of the coronation, as being the most early account which has come down to us.

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Preparation for the crusade.

The young king had taken the cross during the reign of his father. By a prince of his adventurous spirit, an expedition to the holy land would at any time have been hailed with joy: at the present it offered to his mind irresistible attractions. After the fatal battle of Tiberias, Acre, Sidon, Ascalon, and Jerusalem, had fallen into the hands of Saladin, the victorious soldan of Aleppo and Egypt: Tyre alone remained in possession of the christians: and if the struggle was still faintly maintained, it was by the exertions of the thousands from Europe, whose misguided zeal led them annually to perish under the walls of Acre. The considerations which would have deterred a more prudent monarch, served only to inflame the ambition of Richard: and to make preparations for the recovery of Jerusalem, and the discomfiture of the Moslem conqueror, were the great objects of his policy during the four months, which he allotted to his residence in England. With this view he hastily filled, in a council at Pipewell, the vacant abbeys and bishoprics: and divided the powers of the regency in his absence between his chancellor William Longchamp, bishop of Ely, and his justiciary Hugh Pudsey, bishop of Durham. To satisfy his mother, he added to her dower all the lands that had been settled on Matilda the queen of the first Henry, and on Alice the relict of Stephen: and that his brother John might through gratitude be attached to his interests, he gave him, besides

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the earldom of Mortagne in Normandy, those of Cornwall, Dorset, Somerset, Glocester, Nottingham, Derby, and Lancaster in England, about one-third of the whole kingdom.[4] In the treasury at Salisbury above a hundred thousand marks were deposited, the fruit of his father's rapacity; but he deemed this enormous sum inadequate to the gigantic projects which he had conceived, and sought to augment it by expedients most disgraceful to himself, and injurious to his successors. The demesne lands, the honours and the offices of the crown, were exposed to public sale. For a bribe of three thousand pounds he remitted his displeasure against his brother Geoffry, the son of Rosamond, who had been lately chosen archbishop of York: he sold the earldom of Northumberland to the bishop of Durham during the term of his natural life for one thousand pounds; and in consideration of ten times that sum, restored to the king of Scots, the castles of Berwick and Roxburgh, with all the right of superiority over the crown of Scotland which had been acquired by Henry. When the means of raising money were exhausted in England, he sailed to Normandy, to fill his coffers by similar expedients.[5]

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[4] Hov. 372. Bromp. 1155.

[5] Hov. 374. 6, 7. Bromp. 1161. 1167. Diceto, 649. The king's charter to the king of Scots may be seen in Rymer, i. 64. It is not, as sometimes has been supposed, a formal recognition of the independence of Scotland, but a resignation on the part of Richard of all

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Persecution of the Jews.

Before we accompany him on his way to Palestine, it will be proper to advert to the fate of the English Jews. The Jews of this period were, in every christian country, the sole, or the principal bankers. As no law existed to regulate the interest of money, their profits were enormous: and at the time of a military expedition, and especially of a crusade, their demands always rose in proportion to the numbers and wants of the borrowers. Hence, sensible that they had earned the hatred of the people, they were careful to deserve by the value of their offerings the friendship of the prince. In England they had grown rich under the protection of the late king: but as

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those rights, which Henry had extorted from William for his ransom. In lieu of them he received ten thousand pounds, probably the sum which William would have given to Henry. The respective rights of the two crowns were now replaced on the same footing as formerly: William was to do to Richard whatever Malcolm ought to have done to Richard's predecessors, and Richard was to do to William whatever *they* ought to have done to Malcolm, according to an award to be given by eight barons, to be equally chosen by the two kings. Moreover William was to possess in England the lands which Malcolm had possessed: and to become the liege man of Richard for all lands for which his predecessors had been the liege men of the English kings. The award was afterwards given, by which it appears, that the words libertates, dignitates, honores debiti, &c., mean the allowances to be made and the honours to be shewn to the king of Scots, as often as he came to the English court by the command of his lord the English king, from the moment that he crossed the borders till his return into his own territories. Rym. i. 87. This will explain the clause of salvis dignitatibus suis, in the oath taken by the Scottish kings, which some writers have erroneously conceived to mean, saving the independence of their crown.

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Philip of France had, at his accession, banished them from his dominions, confiscated their property, and annulled the obligations of their debtors, an idea was confidently entertained that similar measures would be adopted by the new sovereign. To obviate the expected calamity, the Jews had hastened with valuable presents from every county to London: but Richard, whether he foresaw the probability of a popular tumult, or thought that their presence would pollute the holiness of the ceremony, forbade them to appear before him on the day of his coronation. In defiance of this prohibition some had the temerity to mix with the crowd, and enter the gates of the palace. They were expelled with insults, followed with clubs and stones, and murdered by the fury of their pursuers. A report immediately gained credit that the king had given a general permission to kill them and plunder their property. The populace assembled in great numbers: every Jew found in the streets was murdered without mercy: and every house belonging to a Jew was set on fire. It was in vain that Richard dispatched the justiciary with several knights to disperse the rioters. These officers were compelled to flee for their own safety, and the work of conflagration and murder continued till the next morning.—The king hanged three of the ringleaders, on the pretext that they had burned the houses of christians: but he refused to irritate

In London.

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his subjects at the beginning of his reign by acts of severity in favour of a hated people, and contented himself with issuing a proclamation, in which he took the Jews under his protection, and forbade any molestation to be offered them either in their persons or property.[6]

1190.

This impunity, however, encouraged the enemies of the Israelites: and the crusaders in their way to the coast, were careful to imitate their brethren in the capital. The excesses at Lynn, Norwich, Stamford, Edmondsbury, and Lincoln, seem to have been caused by the impulse of the moment: those at York were the result of an organized conspiracy. Before sunset a body of men entered the city: in the darkness of the night they attacked the house of Bennet, a wealthy Jew, who had perished in the riot in London. His wife and children were massacred, his property was pillaged, and the building was burnt. The house marked for destruction on the following night belonged to Jocen, another Jew equally wealthy, but who had escaped from the murder of his brethren in the metropolis. He had, however, the wisdom to retire into the castle with his treasures and family, and was imitated by most of the Jews in York and the neighbourhood. Unfortunately one morning the governor left the castle; and at his return the fugitives, who amounted to five hundred men in-

Norwich. Feb. 6.

Stamford. Mar. 7.

York. Mar. 16.

[6] Hoved. 374. Diceto, 647. Hemingford, 514. Newbrig. iv. 1.

dependently of the women and children, mistrusting his intentions, refused him admission. In conjunction with the sheriff he called the people to his assistance: the fortress was besieged night and day: a considerable ransom was offered and rejected; and the Jews in their despair formed the horrid resolution of disappointing with their own hands the malice of their enemies. They buried their gold and silver, threw into the flames every thing that was combustible, cut the throats of their wives and children, and consummated the tragedy by stabbing each other. The few who had not the courage to join in this bloody deed, told the tale from the walls to the assailants, and to save their lives implored permission to receive baptism. The condition was accepted, and the moment the gates were thrown open, they were massacred. The conquerors then marched to the cathedral, extorted from the officers the bonds, which the Jews had deposited with them for greater security; and making a bonfire burnt them in the middle of the nave. These outrages brought the chancellor to York: but the principal offenders had fled into Scotland; and he contented himself with deposing the sheriff and governor, and taking the recognisances of the citizens, to appear and answer in the king's court. In narrating so many horrors it is a consolation to find them uniformly reprobated by the historians of the time. If the ringleaders endeavoured to inflame the passions of

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the populace by religious considerations, it was merely as a cloak to their real design, of sharing among themselves the spoils of their victims, and of extinguishing their debts by destroying the securities, together with the persons, of their creditors.[7]

Richard sets out on the crusade.

During these massacres Richard was in France preparing for the crusade. The two kings had reciprocally bound themselves to commence their pilgrimage at the feast of Easter: by the premature death of the French queen the time was deferred till Midsummer. They met in the plains of Vezelai: and a gallant army of more than one hundred thousand men, in the double character
July 1. of warriors and pilgrims, marched under their banners. At Lyons they separated, Philip taking
July 31. the road to Genoa, Richard that to Marseilles: but it was mutually understood that both armaments should join again in the port of Messina in Sicily. At Marseilles the patience of Richard was put to a severe trial. His fleet had not arrived: he refused to wait: hired thirty small vessels for himself and his suite, crept along the Italian coast, and after several adventures, in which his temerity led him into imminent danger,
Aug. 28. landed in safety at Naples. A week was employed to satisfy his curiosity in the neighbourhood:
Sep. 8. after which he crossed to Salernum, and fixed

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[7] Hoved. 379. Diceto, 651. Hemingf. 515, 516. Bromp. 1172. Newbrig. iv. 7—11.

his residence in that city, celebrated at the time for the skill of its medical professors.[8] Before his departure from Vezelai he had given the command of his fleet to two bishops and three knights, with the title of constables.[9] They crossed the bay of Biscay and reached the mouth of the Tagus in time to assist at the defence of Santarem against the mohammedan emir Al Moumenim. But their allies soon discovered that the crusaders were not less dangerous as friends than as enemies. The citizens of Lisbon were compelled to arm for the protection of their wives and property: and it was not till much blood had been shed, that peace was restored by the exertions of the king of Portugal, and the constables of the fleet. From the Tagus they steered to the straits of Gibraltar, passed them, and keeping the Spanish shore constantly in view, ascended the Mediterranean as far as Marseilles. The army Aug. 22.

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[8] The celebrated medical poem in Leonine verse by the professors of Salernum was dedicated to Richard.

[9] The laws which he published at the same time for the government of the fleet, mark the character both of the man and of the times. In cases of murder the homicide was to be tied to the dead body, and, if the crime was committed on shipboard, to be cast with it into the sea; if on shore, to be buried with it in the same grave. In quarrels whoever drew a knife, or struck another so as to draw blood, was to be punished with the loss of his hand: if he did not draw blood, he was to be immersed thrice in the sea. To restrain abuse it was ordered, that for every contumelious expression a fine should be imposed of one ounce of silver. Convicted thieves were to have their heads shaved, tarred and feathered, and to be put on shore in that condition. Hoved. 379. Rymer, i. 65.

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was embarked with expedition: and having passed between Corsica and Sardinia, and sailed
Sep. 14. through the Lipari isles, reached without any ac-
Sep. 16. cident the port of Messina. Two days later arrived the king of France in a single ship: and he
Sep. 23. was soon followed by Richard, who made his entry amidst the clangor of martial music, and with all the parade of a conqueror. Philip received for his residence a royal palace within the walls: to the English prince was allotted a house in the suburbs surrounded with vineyards.[10]

His dispute and treaty with the king of Sicily.

In Sicily the reigning king was called Tancred, a fortunate adventurer, who had seized the crown at the death of William, the late sovereign. He would gladly have declined the honour of receiving these powerful, and therefore dangerous, guests. As he had never indeed incurred, he had no reason to fear, the resentment of Philip: but he had detained the dower of Joan, the sister of Richard, and relict of William; and had refused to pay the legacies which that prince had left to Henry, Richard's
Sep. 28. father. All these were now imperiously demanded. From Palermo, where she had been
Oct. 1. confined, Joan was restored to her brother, who immediately crossed the strait, took forcible possession of a strong castle on the Calabrian coast, and assigned it to the queen for her resi-
Oct. 2. dence. The next day he seized a neighbouring

[10] Hoved. 381. 383. Vinesauf, 308.

island, expelled the monks its proprietors, and converted it into a depot for provisions. These unceremonious proceedings alarmed the Sicilians: the English troops imitated the haughty demeanour, and violence of their prince: and several bloody affrays arose between them and the citizens of Messina. At a conference with the envoys of Tancred, held in the presence of the king of France as mediator, it was suddenly announced that the two parties had come to a general action. Richard instantly mounted his horse, and joined the combatants: Philip peaceably retired to his palace, but secretly, it was said, animated the citizens to oppose the English. The gates, however, were forced. The English king was the first to enter, and abandoned the city to the caprice and passions of his followers, ten thousand in number. The houses were plundered, the Sicilian galleys burnt, and the women carried off to the camp. The pride of Philip was hurt to find himself by this event a prisoner in the hands of his vassal: and when he beheld the English banners waving on the towers, he loudly complained of the insult. After some hesitation Richard ordered them to be removed: and to appease the king of France, intrusted the custody of the place to their common friends and associates, the knights templars and hospitallers.[11]

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Oct. 4.

[11] Hoved. 384. Vinesauf, 308—311. Diceto, 656.

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Tancred now saw that it was in vain to contend against so powerful a litigator. In satisfaction of every claim he paid to Richard forty thousand ounces of gold: and the king in return guaranteed to him the possession of Apulia and Capua; betrothed his nephew and heir, Arthur the young duke of Bretagne, to the infant daughter of Tancred; and engaged, in case the marriage were not completed, to repay to the king of Sicily or his heirs one half of the money which he had received. This treaty was deposited with the pope, whom both parties invited to enforce its observance with ecclesiastical censures.[12]

Nov. 11.

His quarrels with the king of France. 1191.

Richard and Philip, though jealous of each other, contrived to mask their real feelings, and spent the winter in apparent amity. But in the display of his generosity the king of England eclipsed his rival. He sent to Philip one half of the forty thousand ounces of gold, as his share of the profits made by the expedition: and when he heard that many complained of the expense caused by their stay in the island, spontaneously offered to supply with money all who were in want. At Christmas he invited to his table every gentleman in the two armies: and after dinner gave to each a present proportionate to his quality.[13] But soon another subject of dis-

[12] Hoved. 385, 386. Vinesauf, 313. Diceto, 656.

[13] The king had heard of the fame of Joachim, abbot of Curacio, and sent for him to explain the apocalypse. His interpretation may

sension arose. Richard had offered his hand to Berengaria, the daughter of Sancho, king of Navarre; and his mother Eleanor had arrived with the princess at Naples. Philip opposed the intended marriage in favour of his sister Adelais, who had for so many years been espoused to the king of England: and Richard declared that he would never marry a woman who had been, as he could prove, the mistress of his father. During the dispute Tancred put into the hands of the king a letter which he pretended to have received from Philip, containing proposals for a confederacy against Richard: but when it was shewn to the king of France, he pronounced it a forgery, an unworthy artifice to countenance the English monarch in his rejection of Adelais. At length it was agreed, that Richard should be released from his contract with the French princes, that he should pay to Philip ten thousand marks by instalments in the course of five years, and that at his return from Palestine, he should restore Adelais, with the strong places which he held as her marriage portion. Some days later the king of France sailed for Acre. Richard accompanied him a few miles: then turning to Reggio, took

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Mar 30.

be seen in Hoveden, and is just as deserving of attention as those of our modern expounders. *He* of course found Saladin among the heads of the beast, and could also foretel the year in which Jerusalem would be recovered. His opinions were fiercely contradicted by the English clergymen in the king's suite. Hoved. 388.

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on board Eleanor and Berengaria, and conducted them to Messina.[14]

He reduces the island of Cyprus.

At length the king bade adieu to Sicily with a fleet of fifty-three galleys, and one hundred and fifty other ships. Eleanor had returned to England: the queen of Sicily, and the princess of Arragon, accompanied the expedition. Nine months had already elapsed since Richard commenced his journey, and yet, though he was but a few days' sail from the Holy Land, the impetuosity of his character led him to squander away two more months in a very different enter-

Apr. 12. prise. His fleet had been dispersed by a tempest, and when he reached Crete, twenty-five ships were missing. He proceeded as far as Rhodes; but being detained there by sickness,

Apr. 29. dispatched some swift sailing vessels to collect the stragglers. From these he learned that two ships had been stranded on the coast of Cyprus, that the wrecks had been plundered, and that the crews were thrown into prison. As soon as his health would allow, he sailed to Lymesol, and found before the port the vessel which car-

May 6. ried his sister and Berengaria. They had been invited to land by Isaac, a prince of the Comnenian family, who styled himself emperor of Cyprus: but distrusting the faith of the tyrant, had remained in the open sea, waiting the ar-

[14] Hoved. 387—392. Vinesauf, 314—316. Adelais was not restored till some years later, when she married the count of Ponthieu. Hov. 430.

rival of Richard. He immediately demanded satisfaction for the treatment of the crusaders, and received an absolute refusal. Isaac had manned six galleys for the protection of the harbour, and had drawn up his forces along the beach This prince with his guards and chieftains, was splendidly attired. The rest had no defensive armour, and fought with swords, lances and clubs. After a sharp contest the galleys were taken: the archers in the first boats cleared the beach of the enemy: Richard landed with his usual impetuosity, and Lymesol was taken. The next day Isaac suffered himself to be surprised in his camp by the activity of the invaders, and escaped with difficulty to Nicosia. Humbled by these disasters, and disheartened by the defection of the Cypriots, he condescended to sue for a conference, which was held in a plain before Lymesol. Richard appeared on a Spanish charger, clothed in a silk tunic of a rose colour, with a mantle embroidered with crescents of gold, and bearing a truncheon in his right hand. After much conversation it was agreed, that Isaac should pay three thousand five hundred marks of gold; that he should do homage to the king of England; should resign to him all his castles; should serve with five hundred knights in the holy war; and at his return, if he had given satisfaction to his new lord, should be reinstated in the possession of his dominions. But the Cypriot soon repented

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of his faeility; and eseaped in the night from his guards. Resistanee, however, was fruitless. Another battle was lost: Nicosia surrendered; and his daughter, on whom he doated most tenderly, fell into the hands of the eonquerors. With a broken heart he left the strong fortress of
May 31. St. Andrea, and threw himself at the feet of Riehard, who ordered him to be bound in ehains of silver, and to be eonfined in a eastle on the eoast of Palestine.[15]

It was at Lymesol that the king married Berengaria, who was anointed and erowned by the bishop of Evreux.[16] Here also he reeeived a visit from Guy of Lusignan, the unfortunate king of Jerusalem. Guy had worn that erown in right of his wife Sybilla: but at the siege of Aere he found a dangerous competitor in Conrad, the marquess of Montferrat, and prinee of Tyre. Sybilla was dead: and Conrad, who had married her sister Melisent, eontended that the crown eould no longer belong to Lusignan, but had deseended to himself as the husband of the real heiress. Philip, who had reaehed Aere, espoused the eause of Codrad: and this alone would have been a sufficient reason with Richard to support the interests of his rival. He reeeived Lusignan with honour, acknowledged him for

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[15] Vinesauf, 321—328. Trivet, 105. Hoved. 393, 394. Isaac died a captive in 1195. Hoved. 432.

[16] They had not been married in Sicily on account of the time of Lent.

king of Jerusalem, and gave him two thousand marks to relieve his present neeessities.[17] CHAP. VI.

The siege of Aere had now lasted the greater part of two years: and both the attack and defenee had been eondueted with the most obstinate bravery. The entranee of the port was watehed by the galleys of Pisa: while the land army eneamped round the town in a semicircle from sea to sea. But the besiegers were themselves besieged: and from the neighbouring mountains Saladin with an immense army watehed all their motions. The number of those who perished by the sword, famine, and pestilenee, is almost ineredible. A hundred and twenty thousand bodies, we are told, were buried in the eourse of one year in the great eemetery: and in the eatalogue of the dead were recorded the names of six arehbishops, twelve bishops, forty earls, and five hundred barons.[18] But the arrivals of each day supplied the losses Captures a Turkish galley.

[17] Vinesauf, 324.

[18] Vinesauf, 347. Hoved 390. Bohadin (p. 14) computes the whole number of the erusaders, who at different times assisted at the siege, at five or six hundred thousand. Vinesauf asserts, of his own knowledge, that, during the siege and soon after, more than three hundred thousand persons perished by famine and sickness. Revera novimus et infirmitatis corruptione et famis inedia deeessisse peregrinorum treeenta millia et eo amplius, et in obsidione Aehonensi, et post in ipsa eivitate, p. 427. It is probable that the losses of the infidels were not much less: as the armies of Saladin were constantly supplied with volunteers, who from every mohammedan country pressed forward with similar enthusiasm to oppose the enemies of their religion.

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of the preceding: it seemed as if the existence of christendom depended on the reduction of Acre: and knights, clergymen, and warriors, continually hastened from every part of Europe to lay their bones in this immense charnel-house. The arrival of Philip soon after his departure from Sicily, had diffused new vigour through the army. Military engines had been erected: the walls were battered and undermined: breaches were made: and nothing was wanting for the assault but the presence of Richard, with whom the king of France had engaged to share the danger and glory of the attempt. He was at Famagusta in pursuit of Isaac, when he was met by the envoys from the army at Acre. They complained that by his delays he had paralized the efforts of all christendom: that he seemed to seek his own, not the general good: and that he had converted against the believing natives of Cyprus those arms which he had vowed to employ against the infidels of Asia. Richard was not of a disposition to bear reproof. He replied with passion, and overwhelmed the envoys with a torrent of abuse, which astonished and intimidated the hearers.[19] Now, however, that he had completed his conquest, he burned with impatience to reduce Acre. Of the Cypriots he exacted as a fine one half of their moveables: confirmed to them the laws and customs which

[19] Vinesauf, 326.

prevailed in the time of the emperor Manuel: gave the government to Richard de Camville, and Robert de Thurnham, and sailed from Famagusta with fifty galleys, one hundred transports, and thirteen large ships called busses. On the second day the fleet gave chase to a strange sail, which on nearer approach proved to be a ship of war of enormous bulk, carrying three masts, and filled with armed men. To repeated inquiries were returned ambiguous and contradictory answers. Richard ordered a general attack. But the small galleys of the christians were no match for this stately vessel; and the Turks steadily pursued their course, as if they despised the swarm of enemies that sought to annoy them. Their progress was at last impeded by the audacity of some mariners, who plunging into the sea, fastened with cables the Turkish helm to the English galleys. The christians immediately boarded, and drove their opponents from the forecastle to the stern; but were driven back in their turn, and compelled to escape to their own ships. Richard at last resolved to destroy what he despaired of being able to capture. By his orders the larger galleys formed in a line with their heads to the enemy. The signal was given: the rowers exerted all their strength: and the galleys were propelled with such velocity that their beaks perforated the sides of the Turkish vessel. She filled, and sank with the provisions, military

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stores, and supplies of Greek-fire and venomous serpents which she was carrying to the besieged. Her crew had consisted of fifteen hundred picked men. Thirty-five only were saved, officers and mechanics. The rest were either massacred or drowned.[20]

Surrender of Acre. June 10.

Richard in a few days reached the camp of the crusaders, and was received by them with enthusiastic expressions of joy. He immediately distributed presents with his accustomed prodigality, took into his service all who offered themselves, and ordered his battering engines to be erected against the walls. Though he was soon reduced to an extreme degree of weakness by an intermittent fever, his impatience led him to superintend the operations of his army: and in the intervals between the fits, he was carried on a silk pallet to the trenches, and often discharged with his own hand the balistæ, which had been pointed against the enemy.[21] As he recovered, the

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[20] Vinesauf, 329. Trivet, 106. See also Hov. 394. Diceto, 661. Bohadin, the Arab historian, mentions this action, but reduces the number of the crew to 650, and ascribes the loss of the vessel to the despair of the captain, who ordered his men to cut holes in the hold, to prevent their falling into the hands of the christians. Bohad. 166.—The Greek-fire was so called from being an invention of the Greeks. Its principal ingredients were naphtha, bitumen, and sulphur. It burst into a flame on exposure to the air, and burnt with a violence not to be easily subdued. It was perhaps from this circumstance that it was said to burn in water. Sand and vinegar were generally employed to extinguish it. Vines. 274.

[21] In Vinesauf may be seen the description of the engines used

siege was conducted with additional energy. Assaults were repeatedly made, by the christians on the fortress, by Saladin on the christians, and in all instances without effect. The garrison, however, began to foresee the fate which awaited them. Their ranks were perpetually thinned: their defences were ruined: and no efforts of their friends had been able to raise the siege. With the permission of the soldan they offered to negotiate. Numerous proposals were alternately made and rejected, the christians always insisting on the restoration of Jerusalem, and Saladin as often requiring their co-operation to repulse the sons of Nourredin, who had invaded his dominions to recover the patrimony of their father. At length it was agreed, that the city should be surrendered to the christians, and that the Turks, as a ransom for their lives, should restore the holy cross, and set at liberty one thousand five hundred captives. For the performance of these

in the siege. Quarrels or arrows were discharged from the balistæ: small stones from the mangonellæ, larger from the petrariæ. One of these is said to have killed twelve men at a single discharge. We also read of wooden towers moved towards the walls, of battering rams, and of strong hurdles for the protection of the soldiers. All these, to preserve them from the Greek-fire, were covered with raw skins and coarse cloths sprinkled with vinegar. But the besieged frequently destroyed them, by first throwing a large quantity of dry fuel about them, and then kindling it with the Greek-fire. To preserve the engines from the stones discharged from the walls, loose nets made of cables were fixed upright before them. Vines. 276. 282. 287. 333. 335.

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conditions a term of forty days was assigned, and some thousands of hostages were detained in the fortress. The crusaders immediately took possession of Acre, and Saladin removed his camp to a distance.[22]

July 12.

Departure of the king of France.

This conquest was fondly received by the nations of christendom as a prelude to the delivery of Jerusalem: but the public joy was soon damped by the news that the king of France intended to withdraw from the army. It was in vain that Richard, his own officers, and all the confederate chiefs, urged him to change his resolution. He was equally unmoved by their entreaties or their reproofs: and having sworn not to invade the territories of the king of England, he departed from Acre amidst the hisses and imprecations of the spectators. Much, however, may be said in his justification. His health had been deeply impaired by a dangerous illness: of the year which he had spent in the expedition, more than one half had been lost by the private quarrels of Richard in the islands of Sicily and Cyprus: since their junction under the walls of Acre they had never cordially co-operated with each other: and such was the temper of the king of England, so aspiring and so passionate, that no alternative remained but submission to his caprice, or open hostilities. In

July 31.

[22] Vinesauf, 331—341. Hoved. 394—396. The conditions are mentioned by Richard in one of his letters. Hov. 398.

these circumstances it was contended by the friends of Philip, that he would advance the cause of the crusade by retiring from it. He left with the king ten thousand of his followers under the command of his vassal, the duke of Burgundy.[23]

Massacre of the hostages.

The term fixed by the capitulation of Acre had nearly expired, and frequent messages were exchanged between Saladin and Richard. The soldan refused under different pretexts to execute the treaty: and the king declared that the hostages should pay the forfeit of his perfidy with their lives. In these wars neither party had been sparing of the blood of their captives: and the repeated exercise of vengeance had steeled the heart against the suggestions of pity. It was rumoured, probably without truth, that Saladin had put to death all his prisoners; and the soldiers, inflamed by the report, loudly demanded permission to revenge the fate of their comrades. The next Aug. 20. was the last day fixed by the treaty. The hostages were led to the summit of a hill in sight of the Saracen camp: the crusaders assembled in crowds to witness so glorious a spectacle: and at a signal given, two thousand seven hundred infidels fell under the swords of their butchers. At the same hour and for the same cause an almost equal number, the portion

[23] Vinesauf, 344. Hoved. 397.

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which had fallen to the lot of the king of France, was massacred on the walls of Aere by the troops under the duke of Burgundy. Out of five thousand captives only seven emirs were spared for the sake of exchange or ransom. Nor was this the end of the tragedy. The dead bodies were abandoned to the insults of the soldiers, who cut them open to discover the precious stones which it was believed they had swallowed, and carefully preserved the gall for medicinal purposes.[24]

Victory over Saladin.

After this bloody deed, which, inhuman as it was, seems not to have been contemplated with horror by either the christians or mohammedans of the age, Richard conducted his army, reduced to thirty thousand men, from Aere to Jaffa. It marched in five divisions with the knights templars in front, and the hospitallers in the rear. The stores and provisions for greater security were placed next the sea: near to them the cavalry, and without the cavalry the archers on foot, destined to keep with their arrows the enemy at a distance. In this manner they proceeded slowly along the shore in defiance of every attempt to impede their

[24] Vinesauf, 316. Hoved. 397. Newbrig. iv. 23. Hoveden asserts that Saladin murdered his captives on the 18th, two days before Richard: Bohadin that he did it afterwards (p. 187, 188). It is not probable that Hoveden's account is true: as such conduct was likely to procure the destruction of those whom the soldan was anxious to save. The king seems to have gloried in the massacre. Sicut *decuit*, fecimus expirare! Hoved. 398.

progress. Saladin encamped near them every night. In the morning he attacked them in front, flank, and rear: and daily continued the conflict till sunset. He had summoned reinforcements from every part of his empire: and as soon as these arrived, made a desperate attempt to crush at once the whole host of his enemies. At nine in the morning the kettle drum was beaten: the Saracens rushed with their whole weight on the small mass of the christians: and it required all the authority and exertions of Richard to prevent the dissolution of his army. The master of the hospitallers, unable to bear the pressure, repeatedly solicited the order to charge: but the king, who looked to a decisive victory, deferred it till the last moment. At length the signal was given: the infantry opened for the passage of the cavalry: the men at arms charged in different directions: and the enemy, unable to withstand their weight and impetuosity, after an obstinate resistance, fled to the mountains. Richard boasted that in the course of forty campaigns, Saladin had never experienced so signal a defeat: Vinesauf makes his loss amount to seven thousand men, and twenty-two emirs.[25] His subsequent conduct shewed that it had taught him to respect the valour of the crusaders. He no longer harassed their march:

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[25] See the king's letter in Hoveden (393), and Vinesauf, 360.

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but laid waste the country, and dismantled the plaees before them. The ehristians proeeeded to Jaffa, rebuilt its walls, and fortified the eastles in the neighbourhood.

Retreat from Jerusalem.

To reeover from the infidels the sacred spot, in which the body of Christ had been buried, was the professed objeet of the erusaders; and to keep it fresh in their memory, these words, "the holy sepulehre," were proelaimed thriee every evening by the voiee of a herald throughout the eamp. Richard eoneealed his sentiments from his associates; but he had now learned to doubt of the suceess of the enterprise, and in his letters to Europe most earnestly solieited supplies of both men and money.[26] Still, with these impressions on his mind, he did not hesitate to lead the army to-

1192. wards the holy eity. He even reaehed Ramla and Bethania, places within a short distance of Jerusalem: but the weather beeame rainy and tempestuous: a dearth of provisions was felt: sickness spread itself through the ranks; and many in despair abandoned the expedition. It was evident that he must either return to Jaffa, or instantly make the hopeless attempt of earrying by storm a plaee strongly fortified. and defended by an army more numerous than

Jan. 14. his own. The king for once listened to the

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[26] Hoved. 393.

suggestions of prudence, and bent his march back to the coast.[27] CHAP. VI.

The want of union was the chief misfortune of the crusaders. Instead of forming one great body, moveable at the will of a single individual, they were so many spontaneous, and therefore independent, warriors, who served any chief that they chose, and for as short a time as they pleased. The king of England, indeed, from his superior rank, held the nominal command: but he was compelled to communicate all his plans to his associates, who often opposed them, sometimes through private pique or national jealousy, sometimes through personal interest or difference of opinion: and he soon discovered that to keep the crusaders together, and procure their co-operation, was a more difficult task than to counteract the designs, or defeat the armies, of Saladin. One great subject of dissension was the rival claim of Guy of Lusignan, and Conrad of Montferrat. After a long struggle, Richard, to restore unanimity, consented to abandon the cause of Guy; and immediately afterwards Conrad was assassinated in the streets of Tyre. If the king's former dispute with that prince seemed to countenance the report that he was privy to the murder, his solemn denial, personal character, and the want of evidence, should clear

Murder of Conrad.

April 27.

[27] Vinesauf, 369—374. Hoved. 407.

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him from the imputation. His nephew Henry, of Champagne, married the relict of Conrad, and with her received her claim to the imaginary crown of Jerusalem. Richard acquiesced; and to indemnify Lusignan, gave him the island of Cyprus.[28]

Second retreat from Jerusalem.

The election of Henry seemed to have reconciled the jarring interests of the crusaders, who now demanded with one voice to march again towards Jerusalem. It was known that the king had received the most pressing solicitations to return to his own dominions: but he resolved to share the glory of liberating the holy city, and by proclamation declared his intention of remaining in Palestine another
June 13. year. With alacrity he led the army to Bethania: and then, with Jerusalem before his eyes, recommended the selection of twenty counsellors, who should decide upon oath whether it were better to besiege that capital, or Cairo the capital of Egypt, from which Saladin
July 10. principally drew his supplies. To the astonishment of all men they preferred the latter of
July 26. these projects: and the king, after performing

[28] Vinesauf, 377—392. Hoved. 407. Newbrig. iv. 23, 24, 25. Guy's posterity possessed Cyprus till 1458. The Venetians obtained it after the death of John the third, in right of Catherine Cornaro, a Venetian lady, who married James, an illegitimate son of that prince. At the same time Charlotte the legitimate daughter of John made over her right to Charles, duke of Savoy, whose uncle she had married. Since 1633 the dukes of Savoy have taken the title of kings of Cyprus.

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some splendid feats of arms, returned to Acre, notwithstanding the murmurs and remonstrances of his followers. The duke of Burgundy composed a song, in which he severely censured this vacillating conduct of Richard, who, to revenge himself, wrote a satire on the personal vices of his opponent.[29]

Battle of Jaffa,

The retreat of the christians did not escape the vigilance of Saladin, who, descending from Jerusalem, burst into the town of Jaffa, and drove the inhabitants into the citadel, who gave hostages for the surrender of the place, if it were not relieved by a certain hour. At the first intelligence of the event, Richard ordered the army to march by land, while he, with seven galleys, should hasten by sea to the aid of the christians. He found the beach lined with enemies to oppose his landing. His friends advised him to defer the attempt till the arrival of the whole army: but at the moment a priest swam to the royal galley, and to the question which was put to him, replied, that many of the inhabitants had been massacred, but that many still defended their lives from one of the towers. "Then," exclaimed the king, "cursed be the "man who refuses to follow me." He plunged into the water: his companions imitated his

[29] Vinesauf, 397—409. Hoveden attributes the retreat to the French, who, in opposition to Richard, refused to attack Jerusalem, (408.) I prefer the more circumstantial account of Vinesauf, who was present.

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example: the Saracens, awed by such intrepidity, retired at his approach: and the city was cleared of the assassins. But Richard disdained to be confined within the walls: and by his order the small army of the christians, consisting of fifty-five knights, of whom ten only were mounted, and two thousand infantry, encamped boldly without one of the gates. Early in the morning the king was informed of the approach of the enemy. He ordered his lancers to rest on one knee, while each man with the buckler on his left arm should cover his body, and with his right should direct the point of his lance, the other extremity of which was firmly fixed in the ground. Among them he distributed the balistæ, with two archers to each, of whom one bent the bow, the other discharged the arrows. The Saracen cavalry, in seven divisions, made as many attempts to break through the line. Each charge was unsuccessful, and attended with considerable loss. Richard, observing their confusion, rushed with his knights into the midst of their squadrons, where he performed prodigies of valour. He was seen by Saphaeddin, the brother of the soldan, who had lately solicited from him the honour of knighthood for his son, and who now sent him during the action a present of two Arabian horses. On one of these the king continued the conflict till night. It was thought that on this day he had surpassed his former renown. He vanquished every champion

that dared to oppose him: he liberated from their captors the earl of Essex and Ralf of Malleon, who had been unhorsed: he extricated himself from a host of Saracens, who had surrounded him, and impressed the enemy with so much terror or admiration, that wherever he charged they retired from his approach. The siege was raised: but the king's exertions had brought on a fever, which undermined his strength: and he condescended to ask for an armistice through the mediation of Saphaeddin. It was concluded for three years. The soldan insisted on the destruction of Ascalon, and in return granted to the pilgrims free access to the holy sepulchre.[30]

and armistice.

Thus terminated the crusade. If Jerusalem could have been won by personal strength and bravery, it might have been won by Richard. His exploits, so superior to those of his fellows, threw a splendour around him, which endeared him to the christians, and extorted the admiration of the infidels. But the little influence which they had on the issue of the expedition, will justify a doubt whether he possessed the talents of a general. He seems to have been content with the glory, without the advantages, of victory; his fickleness prevented him from pursuing for any time the same object: and his passionate temper made him fitter to promote

The king's departure.

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[30] Vinesauf, 410—422. Trivet, 118—122.

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dissension, than to procure unanimity, among his associates. As soon as his health would permit, he paid his debts, satisfied the claims of his followers, and sailed from Acre. The next morning he turned to take a last view of the shore, and with outstretched arms exclaimed: "Most holy land, I commend thee to the care of "the Almighty. May he grant me life to "return and rescue thee from the yoke of the "infidels."[31] His fleet, with his wife, sister, and the princess of Cyprus on board, had sailed some days before, and reached Sicily without any accident.[32] The king followed in a single ship, and took a different course: but his progress was often retarded by contrary winds, and a month had elapsed before he reached the isle of Corfu. Here he hired three coasting vessels to carry him and his suite, consisting of twenty persons, to Ragusa and Zara. What route he meant afterwards to pursue, is uncertain. But he was aware that the king of France had confederated with his brother John to dispossess him of his dominions; that Henry, the emperor of Germany, the rightful heir to Sicily, was irritated by his league with Tancred;[33] and that many

Oct. 9.

Adventures.

Nov. 11.

[31] Vinesauf, 428.

[32] His sister, the queen of Sicily, was afterwards married to the count of St. Giles. Hoved. 436.

[33] He had married Constantia, the true heir at the death of king William, her brother, and had prepared to assert her right, at the time that Richard made the league offensive and defensive with Tancred, and agreed to marry his nephew to Tancred's daughter. Within a fortnight after the king's departure from Messina, Henry

princes, the relations of Conrad, had professed themselves hostile to him, as the supposed murderer of that nobleman. Henee, as he had assumed the garb of a pilgrim, and sought to disguise himself by the length of his beard and hair, it is probable that he hoped to cross the eontinent unknown, and to elude by artifice the snares of his enemies. However that may be, he was driven by a storm on the eoast of Istria, between Aquileia and Venice, and proeeeded towards Goritz, the residenee of Maynard, a nephew of Conrad. One of his pages appeared before that ehieftain with a present of a valuable ruby, and solieited a passport for Baldwin of Bethune, and Hugh the merchant, pilgrims returning from Jerusalem. "The present," he exelaimed, "is the present of a prinee. It must "be king Riehard. Tell him he may eome to "me in peaee." The pretended pilgrim, however, was suspieious of danger, and having bought horses, fled in the night. Baldwin and seven others remained, and were seized by Maynard, who immediately sent a messenger with the information to his brother Frederie of Betesow. The king had reached Freisaeh, when he was discovered by a Norman knight in the serviee of Frederic: but mindful of his duty to his native sovereign, the knight warned him of

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entered Campania, and proceeded as far as Naples, where the heat and sickness almost destroyed his army. Hence arose the enmity of the emperor to Richard.

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his danger, and endeavoured to conceal his arrival. Though six of his companions were taken, Richard escaped with one knight and a boy acquainted with the language. They travelled three days and nights without entering a house, or purchasing provisions, and found themselves on the fourth day in the suburbs of Vienna. The boy was sent to market. By the display of his money he excited curiosity: but he eluded every inquiry by answering, that his master was a rich merchant who would arrive in three days. Richard, though aware of his danger, was too weak to prosecute his journey.

And captivity.

The boy was again sent to the market; was seized and put to the torture; and at last revealed the name and retreat of the king. When Richard saw his house surrounded by armed men, he drew his sword, and refused to yield to any one but their chieftain. That chieftain immediately appeared, Leopold duke of Austria; the same Leopold whom he had treated with the most cruel insult in the town of Acre, and who, as brother-in-law to Isaac, conceived himself entitled to revenge the wrongs of that unfortunate monarch. He received the king's sword, and committed him to the care of a baron named Hadmar, to be closely confined in the castle of Tyernsteign.[34]

Dec. 20.

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[34] Compare Hoveden (408), Newbrigensis (iv. 31), and Matthew Paris (143, 144), with the Emperor's letter in Rymer, i. 69.

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Disputes in England between the chancellor and the king's brother.

It is now time to return to England, which during the absence of the monarch had been impoverished by the rapacity of his minister, and harassed by the ambition of his brother. The king had intrusted the reigns of government to William de Longchamp, a Norman of obscure birth, who, in Henry's reign, had passed to the service of Richard from that of Geoffry, the son of Rosamond. His talents and industry were quickly rewarded with the esteem of his new master: nor was his immorality an obstacle to promotion in the court of a prince, who was actually in arms against his father. When Richard succeeded to the throne, preferments poured thickly upon the favourite. He was first made chancellor, then bishop of Ely, afterwards grand justiciary, and lastly, at the king's urgent request, papal legate in England and Scotland. Thus, during Richard's absence, he found himself placed at the head of both church and state; and, if we may believe the contemporary writers (though their testimony, as that of enemies, should be received with caution), he exercised in the most despotic manner this twofold authority. He is said to have been haughty and insolent, rapacious and prodigal: oppressing the laity with fines, ruining the clergy with exactions, and enforcing submission to his will by the severity and promptitude of his vengeance. He affected the parade of royalty; was always accompanied by a guard of one thousand

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horsemen; and, as the king's castles were in his possession, could at a short notice collect from their garrisons a formidable army.[35] Such a man must have had as many enemies as there were persons whom he had aggrieved by his tyranny, or mortified by his superiority. Of these the greater part he despised, seeure of the protection, as long as he could supply the eoffers, of his master. There was one whom he feared, John the king's brother, as unprincipled and ambitious as himself. In the former erusades few of the pilgrims, either plebeians or prinees, had ever returned to their homes. John had ealeulated the chances, and in the event of the king's death, had determined to seize the sceptre. There was indeed a ehild, who had a better right to the suceession, Arthur, the son of his elder brother Geoffry: but the elaim of the nearest heir had been overlooked on other oeeasions: the elaim of Arthur might be overlooked at the death of Riehard. Riehard, however, favoured the interests of his nephew; and in his treaty with Tanered, king of Sieily, and his letters to the pope, deelared the young prince the apparent heir to the throne. At the same time, to defeat his brother's projeets, he commissioned the chaneellor to open a negotiation with the king of Scotland, and to engage

[35] Hoved. 389. Giral. Camb. in Ang. Sac. ii. 405, 406. Newbrig. iv. 14.

his powerful aid in support, if it should be necessary, of the pretensions of Arthur. But the secret could not be concealed from the spies, whom John had placed round the king at Messina: and the moment it was communicated to him, he resolved to remove the chancellor, as the most formidable obstacle to his ambition.[36]

Attempts to remove Longchamp. 1191.

The first attempt failed. When Walter, archbishop of Rouen, arrived from Sicily, he was said to be the bearer of an instrument under the royal seal, ordering a council to be formed, without the advice and concurrence of which Longchamp was forbidden to act. Such a council, as the individuals appointed to compose it were his personal enemies, would in fact have put an end to his authority. It may be doubted whether this instrument was genuine or supposititious: certain at least it is that, if it were obtained from the king, it was judged prudent to suppress it. It did not creep from its concealment till a year later, when a royal order was wanting to justify the forcible removal of the minister.[37]

The second attempt weakened, though it did not overturn, the power of Longchamp. For

[36] It was pretended that the chancellor's object in the negotiation with Scotland was to perpetuate his power by the succession of a minor: but that he only executed the orders of Richard, as he asserted, appears probable from the king's declaration that Arthur was his heir (Hoved. 385, 386), and from the confidence which he put in the honour of the king of Scots. Hoved. 411.

[37] Hoved. 391. Diceto, 659.

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some offenee, real or pretended, he had condemned Gerard de Camville to lose the shrievalty, with the eustody of the eastle of Lincoln: but, while he besieged that fortress, John, at the head of a numerous army, surprised the royal eastles of Nottingham and Tiekhill. The chancellor was taken unawares: finding himself unequal to the eontest, he offered to negotiate: and after the rejection of several proposals it was mutually agreed, that a eertain number of the king's eastles should be placed in the eustody of different barons, who should be sworn to preserve them for the king during his life, and to deliver them to John in the event of the king's death. By this arrangement the prinee gained one important step towards the objeet of his ambition, while the ehaneellor was still allowed to retain the exereise of the royal authority.[38]

Arrest of Geoffry, the king's bastard brother.

This quarrel was sueceeded by another, still more disastrous to Longehamp. Geoffry, the king's natural brother, had been lately chosen to the arehiepiseopal sec of York: but Riehard, though he had remitted his displeasure against the new prelate in eonsideration of a large sum of money, eompelled him to swear that he would eontinue to reside on the eontinent, and at the same time forbade every archbishop in his dominions to give him eonseeration. In defianee, however, of this prohibition, he was consecrated

[38] Hoved. 398.

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in virtue of a papal mandate by the archbishop of Tours: and in contempt of his oath he hastened to England to obtain the possession of his church. The chancellor, who at a distance watched all his motions, had given orders, that on his arrival he should be required to take an oath of allegiance, or to quit the kingdom immediately. Geoffry eluded the officers; took refuge in the church of St. Martin; and when the requisition was made, haughtily replied that he should never submit to the orders of that traitor, the bishop of Ely.[39] For three days his asylum was respected: on the fourth he was conveyed by force to the castle of Dover. At the solicitation of the bishop of London, who gave security that he should do whatever the barons and prelates should declare it was his duty to do, Longchamp allowed him to be released, and to repair to the capital.

Sep. 14.

Sep. 26.

The news of this event was received with pleasure by John and his party. That prince, who had hitherto regarded his illegitimate brother as an enemy, now pretended to feel for him the most tender affection. He wrote to all the bishops and barons to assemble at Reading: while Longchamp by other letters forbade them to accept the invitation of a prince, whose object it was to disinherit his sovereign. The assembly, however, was held: John and Geoffry met,

Submission of Longchamp.

Oct. 6.

[39] He had formerly done homage to Geoffry. Ang. Sac. ii. 390.

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wept and embraced; and the latter on his knees besought his fellow peers to avenge the insult, which had been offered in his person to the immunities of the church, and the right of asylum. Two very suspicious papers were produced and read, both purporting to be letters from Richard, the one, as has been already noticed, forming a council of regency with the archbishop of Rouen as president, the other absolving Geoffry from his oath, and allowing him to visit his diocese. The chancellor had engaged to appear before them. He had even collected a formidable army: but distrust and terror induced him to flee from Windsor to London, where he exhorted the citizens to shut their gates against the king's enemies, and retired into the Tower. He was followed to the capital by his pursuers, who obtained admission on taking an oath to be faithful to Richard, and
Oct. 10. to maintain the franchises of the city. Longchamp in despair consented to plead his cause before them, and was condemned to resign the office of justiciary, to surrender all the royal castles but three, and to give security that he would not leave the kingdom till he had fulfilled these conditions.[40] He retired to the castle of Dover, the governor of which had married his sister, and attempted to escape from thence to Calais in female attire. But as he walked on

[40] Hov. 399. Diceto, 660. Gervase, 1577. Ang. Sac. ii. 390—399.

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the beach with a web of cloth under one arm and a measure under the other, his unusual gait excited suspicion: a nearer inspection discovered his beard: and the women of the place loaded him with insults, till the officers rescued him from their fury, and conveyed him to prison. John was inclined to make him drink of humiliation still more deeply: but at the entreaty of the bishops he allowed him to cross the sea, and appointed the archbishop of Rouen grand justiciary, and vice chancellor in his place.[41]

Who retires to Normandy.

Longchamp made an attempt to recover his lost authority. By valuable presents and professions of attachment, he procured from John the strongest assurances of protection, and by his messengers to the court of Rome received a renewal of his legatine powers, which had expired at the death of the pontiff, from whom he had originally derived them. Elated by this prospect, he dispatched to England sentences of excommunication against the most violent of his adversaries, and summoned the rest to appear before his tribunal. But these acts of authority were despised, under the plea that a legate could exercise no jurisdiction till he had entered his province: and when he landed in England, he found John so undetermined, and

1192.

[41] Gerv. 1578. The ridiculous stories related by Hugh of Coventry (Hoved. 400), and transcribed from him by Giraldus (Ang. Sac. ii. 401), deserve no credit. Peter of Blois wrote a very severe letter to Hugh on the occasion. Hoved. 401.

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received from the council of regency a message so threatening, that he deemed it most prudent to retire to Normandy, and to wait with patience the return of his sovereign.[42]

Richard is sold to the emperor.

Such was the state of England when the news arrived of Richard's departure from Acre. The people, by whom with all his vices he was beloved on account of his valour, were eager to behold the champion of the cross: but week after week the public expectation was alternately roused and disappointed. Rumours the most sinister and improbable had begun to prevail, when the secret of his detention was revealed by the copy

Dec. 28.

of a letter to the king of France from Henry VI., the emperor of Germany. This imperial speculator, for the sum of sixty thousand pounds, had purchased the royal captive from Leopold: and "the enemy of the empire and disturber of "France," to use his own words, was lodged in chains in one of the castles of the Tyrol, surrounded by trusty guards, who with their naked swords attended him by day, and watched at his bed-side by night. This intelligence seems to have electrified all Europe. If the king's enemies (and by his arrogance he had created him-

1193.

self enemies) rejoiced at his disgrace, the clergy and people, all who had admired the prodigies of his valour, or sighed for the deliverance of Palestine, lamented his misfortune, and loudly

[42] Hoved. 402. 409. Ang. Sac. ii. 402.

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invoked in his favour the thunders of the Vatican. In England his subjects renewed their oaths of allegiance; the bishops and prelates assembled at Oxford, and sent deputies to give him advice and consolation; and Eleanor by repeated complaints induced pope Celestine to pronounce the sentences of excommunication and interdict against Leopold, and to threaten similar measures against Henry, unless he immediately liberated his captive.[43] There was, however, one man, who openly rejoiced at the intelligence, John, the king's brother, who repaired in haste to Paris, surrendered to Philip some portions of Normandy, did him homage for the rest of Richard's continental possessions, and returning to England, assembled an army to contend for the crown. But as the king observed, "John was not a man to succeed by force, when force was opposed to him." Though the fidelity of the grand justiciary was doubtful, the prelates and barons unfurled the royal standard: an armament of foreign mercenaries was repulsed from the coast: and the pusillanimous usurper consented to an armistice, that he might form new plans, and watch the course of events. At the same time his confederate the king of France, having sent a messenger to Richard to give him back his homage, entered Normandy with a powerful

John aims at the crown.

Philip invades Normandy.

[43] Hoved. 410. Rym. i. 72—78. Pet. Bles. ep. 145. et seq.

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army. Several fortresses yielded through fear or treachery: but Rouen, the capital, was saved by the exertions of the earl of Essex, who had lately returned from the holy land. He harangued the citizens; pointed their indignation against the perfidy of the man, who had turned his back to the infidels; and animated their patriotism by the prospect of the desolation around them. They courageously repelled the enemy. Even the women mounted the walls, and poured boiling pitch on the heads of the assailants. Philip's military engines were burnt: and the garrison boldly threw open the gates, and invited him to advance if he durst. He preferred to retire, and by his departure gave a short pause to the horrors of war.[44]

Treaty for the king's release.

Longchamp, the chancellor, who still remained in exile, was the first to discover the prison of his sovereign. By repeated solicitations he obtained permission of Henry to con-

April 13.

duct Richard to the diet at Hagenau. Before this august but incompetent tribunal the king listened to the accusations against him, that he had confederated with Tancred to oppose the right of the emperor to the crown of Sicily; that he had unjustly seized the kingdom of Cyprus; that he had hired assassins to murder the marquess of Montferrat;[45] and that he had

[44] Hoved. 411—413. Newbrig. iv. 32. Rym. i. 85. Gerv. 1581.

[45] To repel this charge a letter was produced from the sheik or old man of the mountain, the chief of the Hassassins, who declared

treated with insult the German nation at the siege of Acre. His manly and persuasive defence was received by the princes of the diet with applause and commiseration. Even the cold-hearted Henry appeared to relent. He ordered the king's chains to be struck off; shewed him the respect due to a crowned head; and consented to treat about the amount of his ransom.[46]

The prospect of liberty revived the spirits of Richard, who dispatched the chancellor to England with a letter to the council of regency. By their orders a tax of twenty shillings was imposed on every knight's fee; the plate of the churches was sold or redeemed: one fourth of every man's income was extorted from the clergy and laity: and all were required to make the king such presents as might deserve his gratitude. But, whether it were owing to the poverty of the nation, or to the peculation of the officers, the amount fell short of the sum at which it had been computed: and to supply the deficiency a second and even a third collection was made in despite of the murmurs and discontent of the people. In the mean time Henry

that *he* had procured the murder of Conrad in revenge of the injustice offered by that nobleman to some of his subjects. Rym. i. 71. I am not convinced that the objection drawn from the date will prove this instrument to be a forgery. But if it be genuine, it will prove of little service to the cause of Richard. No great credit can be given to the testimony of a man, who acknowledges himself to be a murderer by profession.

[46] Hoved. 413. Newbrig. iv. 38.

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was slow to conclude the bargain, as long as it remained in his power to make it more profitable. The negotiation was suspended, and renewed, and protracted; and five months elapsed, before the terms could be finally adjusted.

Sep. 22. These were, that Richard should pay one hundred thousand marks for his ransom; should restore Isaac, the late emperor of Cyprus, to his liberty, but not to his dominions; and should deliver the captive daughter of Isaac to the care of her uncle the duke of Austria. Henry in return engaged to set the king at liberty on the receipt of the money; to aid him against all his enemies; and to invest him with the feudal sovereignty of the kingdom of Provence, an obsolete right, which the emperors had long claimed, but had not the power to enforce.[47] A distant day was assigned for the performance of these conditions: and Richard, to bind the emperor more firmly to his interest, adopted the strange expedient advised by his mother. In an assembly of the German princes and English envoys, by the delivery of the cap from his head, he resigned his crown into the hands of Henry; who restored it to him again to be held as a fief of the empire with the obligation of a yearly payment of five thousand pounds.[48] Still no reliance

[47] Hoved. 414. 416. Newbrig. iv. 38. Gerv. 1584.

[48] This extraordinary transaction is related on the best authority, that of Hoveden (p. 412), whose testimony seems to be confirmed by the fact, that on Henry's death, Richard was summoned, like

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could be placed on the faith of the German, to whose rapacity a more tempting bait was offered by John and the French monarch. On condition that he would detain Richard in captivity, they promised to secure to him a larger sum than had been fixed for the king's ransom, or to pay him at the rate of twenty thousand pounds for every month of imprisonment. Henry could not resist so tempting an offer. He had even the effrontery to communicate it to Richard; but the German princes, who had become sureties for the release of the English monarch, upbraided their emperor with his venality, and compelled him to relinquish his prey. More than seventy thousand marks were received on the spot, and hostages given for the payment of the remainder.[49] The king hastily descended the Rhine as far as Cologne, the archbishop of which city conducted him to the port of Antwerp. Here he embarked on board his own fleet. Four days were consumed in the intricate navigation of the river: during five more he was detained by contrary winds in the harbour of Swyne, opposite the isle of Cadsand: at

1194. Jan. 14.

Feb. 4.

Richard returns to England. Mar. 13.

any other of the princes of the empire, to vote for a king of the Romans. He sent deputies, but wisely resolved not to trust his person in Germany a second time. Hoved. 441. It is, however, possible that he may have been summoned as king of Provence.

[49] 10,000 more were afterwards paid. The emperor, terrified by the menaces of the pope, remitted 17,000, to enable Richard, as he pretended, to oppose their common enemy, the king of France. Hoved. 431. Diceto, 672, 673.

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length he landed at Sandwich amidst the acclamations of his subjects, after an absence of more than four years.[50]

Council at Nottingham.

Though Richard now breathed the air of liberty, his heart could not be at ease till he had chastised the perfidy of the French monarch. Two short months were all that he would spare to his English subjects: and these were employed, not in repairing the evils caused by his absence, but in devising means to extort more money from those, who had been already impoverished by the amount of his ransom. In England he had no longer an enemy: John's castles of Marlborough, Lancaster, and St. Michel's had previously yielded to the king's officers: and those of Tickhill and Nottingham surrendered as soon as his return had been ascertained. Mar. 30. In Nottingham was held a great council of the realm, consisting of fifteen spiritual and temporal peers, with Eleanor, the queen mother. On the first day Richard took from several individuals the offices which they held under the crown, and sold them to the best bidder. The terms which he proposed, were the payment of a considerable fine in the first instance, and an annual rent for the future. The next day he accused of treason his brother John, and the confidential adviser of that prince, Hugh, bishop Coventry. They were ordered to appear and

[50] Hoved. 417, 418. Diceto, 672. Gerv. 1586.

CHAP. VI.

plead to the charge within forty days, under the following penalties. The prelate, in as much as he was a sheriff, was to be at the king's mercy, in as much as he was a bishop, to be judged by the church. John was to be outlawed, and to forfeit all his lands, goods, and chattels. Neither of them obeyed the summons, though it was thrice repeated at the distance of forty days: and then, as John held lands in Normandy, and was actually in France, three peers hastened to the court of his sovereign lord, the French king, to repeat the accusation, and to demand judgment against him for contumacy.[51] On the third day of the council, a tax of two shillings was imposed on each caracute of land: and the military tenants of the crown were required to accompany the king into Normandy after the rate of one third of the service to which they were bound by their tenures. The last day was employed in discussing the extraordinary question, whether it were necessary that the king should be crowned again. In opposition to his opinion it was decided in the affirmative: and the ceremony was performed at Winchester, by Hubert archbishop of Canterbury.[52]

April 17.

Richard now hastened to join his army at Portsmouth. The wind was adverse: but his

King sails to France. May 2.

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[51] Hoved. 419. Annal. de Margan, 12.

[52] Hoved. 419, 420. Gervase, 1586.

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impatience scorned the advice and warning of the mariners. He set sail: the night proved dark and tempestuous: and the next morning he was happy to escape from the danger by returning into the harbour. After a tedious delay of a fortnight he reached Normandy, and on his landing was met by his brother John. That prince, whose pusillanimity was equal to his ambition, implored on his knees the forgiveness of a sovereign, whom he had so cruelly offended. But he had secured a powerful intercessor in the queen mother; at whose request Richard received him into favour; though he sternly refused to restore to him either his lands or his castles.[53]

Events of the war.

It would weary the patience of the reader to lead him through a long and languid detail of military actions, which have ceased to be interesting. The finances of Philip, as well as those of Richard, were exhausted: and both kings were compelled to conduct their operations on too petty a scale to produce important results. From mere lassitude and impotence they often consented to an armistice: and as often, on pretence of some real or imaginary offence, broke their word, and rushed again to arms. At each repetition their passions grew more inflamed: the spirit of retaliation urged them to new cruelties: and at last each party frequently put

[53] Hoved. 421. Matt. Paris, 147.

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out the eyes, instead of accepting the ransom, of their prisoners.[54] Yet so equally balanced were their powers of mischief, that, after six years of desultory and sanguinary warfare, it would have been difficult to determine whose fortune had preponderated. The most brilliant action during the contest was fought between Gisors and Courcelles. Philip had marched from Mante with three hundred knights, their esquires, and a large body of cavalry. It was his intention to raise the siege of Courcelles: but Courcelles had already surrendered, and he Oct. 28. was met by Richard on the road to Gisors. After a sharp engagement the French fled to that fortress: the bridge broke under the weight of the fugitives: and the king with twenty knights, all in armour, was precipitated into the river Epte. The rest perished: Philip was extricated with difficulty; and owed his safety to the devotion of his followers, who gallantly turned on the pursuers, and renewed the battle till they were all either taken or slain. Forty barons, one hundred knights, and a hundred and forty chargers covered with armour, were the reward of the victors. Richard, in a circular letter, communicated the news to his friends in England; and boasted with evident compla-

[54] Hoved. 445. Philip had proposed that the quarrel between them should be decided by five champions on each side. Richard sarcastically answered, that he could have no objection, if the king of France and himself were to be two of the number. Diceto, 676.

CHAP. VI.

cency, that he had made the king of France drink of the waters of the Epte.[55]

Capture of the bishop of Beauvais.

The fortune of war supplied him with a still more pleasing opportunity of gratifying his resentment. Philip, bishop of Beauvais, under the pretence that he had to support the character of a count as well as a bishop, had indulged his martial disposition, fought at the head of his retainers, and acquired the reputation of a bold and fortunate warrior. It chanced, however, that in a skirmish under the walls of Beauvais, he was taken by Marchadee, the commander of the king's mercenaries. A more acceptable present could not have been offered to Richard. It was to the influence of this prelate, then the French envoy to the court of the emperor Henry, that the English prince attributed the most galling of the indignities which he was compelled to bear in his captivity, that of being put in chains like a criminal. Philip was immediately thrown into a dungeon in the castle of Rouen, and loaded with fetters of iron, as heavy as his strength could support. In despair of softening the king, he had recourse to the authority of the pontiff, from whom he received a severe but merited reproof. He had, said Celestine, put on the helmet instead of the mitre, and neglected the duties of his station to mix in the fray of battle. And what added to his offence, he

[55] Hoved. 444. Diceto, 704. Par. 162. Rym. i. 96.

had fought against the champion of the cross, who sought only to recover his own; and in favour of a recreant prince, who, in violation of his oath, had invaded the property of another. Such misconduct rendered him unworthy of the protection of the church, or the interposition of the holy see. He might intercede for him as a friend; he could not employ authority as a pontiff. Richard soon afterwards received a letter in which Celestine desired him to pity "his "dear son, the bishop of Beauvais:" and in return sent to the pontiff that prelate's coat of mail, with the following scroll attached to it: "*Look if this be the coat of thy son or not.*" "No," replied the pope, with a smile, "it is the "coat of a son of Mars. Let Mars deliver him "if he can." Even the king's necessities could not subdue his resentment. He refused a ransom of ten thousand marks: nor did the bishop of Beauvais recover his liberty till Richard was laid in the grave.[56] CHAP. VI.

If England, during these quarrels, was spared the ravages, it was compelled to support the expense, of the war. Richard seemed to consider it as an appendage to his transmarine dominions, valuable only in proportion to the revenue which he could derive from it. To raise money became the principal duty of the justiciary, who acted as regent in the king's absence: and from Taxes.

[56] Hoved. 437, 438. Diceto, 704. Par. 153. Newbrig. v. 30. John released him on the payment of 2000 marks. Hoved. 452.

CHAP. VI.

the accounts of archbishop Hubert, we learn that he transmitted to the king, in the short space of two years, the enormous sum of eleven hundred thousand pounds. The reader perhaps will not be displeased to learn by what expedients this money had been raised. 1⁰ Before his departure for Palestine the king had sold many of the lands and offices belonging to the crown. These were resumed: and to palliate the injustice of the measure, it was pretended that the purchasers had been indemnified by the profits which they had made in the interval.[57] 2⁰ The tax of two shillings on every caracute of land, imposed in the council at Nottingham, had been afterwards increased to five. The caracute was fixed at one hundred acres: and commissioners were appointed to inquire upon oath, and to enrol the number of such caracutes, with the names of the proprietors in every hundred or wapentake. To ensure payment the lord was authorized to distrain his tenant: and if any deficiency remained, the sheriff was ordered to make it good by levying distress on the demesne lands of the lord.[58] 3⁰ Tournaments had been introduced into England in the turbulent reign of Stephen, and prohibited by the policy of his successor: Richard revived them, on the plea that they were necessary to teach the use of arms, and to fit the rising generation for the defence of their coun-

[57] Hoved. 420. Brompt. 1259. [58] Hoved. 442.

try. But these patriotic views were in reality prompted by avarice: before any individual could partake of such martial sports a royal licence was requisite: and its price was duly fixed at the rate of twenty marks for an earl, ten for a baron, four for a knight with, and two for a knight without, land.[59] 4⁰ Richard broke the great seal, ordered a new one to be made, and declared by proclamation that no grant under the former should be deemed valid in courts of law. The consequence was that the holders of such grants were compelled to exhibit them in the office of the chancellor, and to pay the usual fees a second time.[60] 5⁰ The institution of itinerant justices was resumed or continued: but their instructions were improved by such additions as circumstances suggested.[61] They were to consider the king as succeeding in the place of the Jews who had been killed in the first year of his reign, and to require fines from their murderers, and payment from their debtors: they were to annul all grants which had been made by prince John,

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[59] Hoved. 424. Newbrig. v. 4. Diceto, 676. According to this writer the exercise of tournaments taught the knights to behave with greater courtesy to their captives, and to release them frequently on their parole. Ibid. [60] Hoved. 446.

[61] The juries to try pleas of the crown appear now to have regularly consisted of twelve persons. The judges appointed two knights in each county, whose office it was to select two others from each hundred in the county. The latter added ten free and lawful men from the neighbourhood to their own number, and thus formed a jury of twelve for their particular hundred. Hoved. 423.

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and to receive all moneys that were due to him: they were to inquire into the state of all wardships and escheats, the real value of all the lands, and the quantity of stock on each farm; they were to impose tallages on the cities, burghs, and ancient demesnes of the crown; and to exact the payment of all arrears from those who had promised to contribute towards the king's ransom.[62] "By these and similar "inquisitions," says a contemporary writer, "England was reduced to poverty from one sea "to the other."[63]

Riot in London.

To exactions so frequent and so vexatious men did not submit without murmuring: and a factious demagogue in the city of London, improved the opportunity to direct the public discontent against the higher classes in society. William Fitz-Osbert, equally distinguished by the length of his beard, and the vehemence of his eloquence, professed himself "the advocate "of the people," but at the same time was careful to flatter the wishes of the prince. He did not deny that the war was just and necessary, or that the nation was bound to furnish supplies to the sovereign: but he contended that the rich and powerful had contrived means to shift the

[62] They were to value stock in the following manner: an ox, cow, or draught horse at 4s., a sow or boar at 12 pence, a sheep with fine wool at 10 pence, with coarse wool at 6 pence. Hoved. 424.

[63] His et aliis vexationibus, sive juste sive injuste, tota Anglia a mari usque ad mare redacta est ad inopiam. Hoved. 445. See him also 423. 446.

CHAP. VI.

burden from their own shoulders, and to impose it on those who were the least able to bear it. He crossed the sea to lay his sentiments before the king, by whom he was not unfavourably received; returned in haste to London; and by inflammatory harangues from St. Paul's cross, threw the whole city into a ferment. Associations were formed: fifty-two thousand persons bound themselves to obey the orders of their "advocate:" and the more wealthy inhabitants trembled for their lives or fortunes. Archbishop Hubert thought it his duty to oppose the demagogue: and in a meeting of the citizens, by his mild and persuasive eloquence, induced them to give him hostages as securities that they would keep the king's peace. Fitz-Osbert now saw the storm that was gathering. With an axe he clove the head of the officer sent to arrest him: and fleeing to the church of St. Mary of Arches, fortified the tower against his opponents. But the people, separated from their leader, remained quiet: on the fourth day, the church by design or accident was set on fire: and Fitz-Osbert, as he attempted to escape in the confusion, was stabbed in the body by the son of the officer whom he had murdered. The wound did not produce instant death: he was hastily tried, condemned, dragged at the tail of a horse to the "elms" at Tyburn, and hanged in chains with nine of his followers. His friends pronounced him a martyr: and a report was

1196. Apr. 7.

CHAP. VI.

spread that miracles had been wrought at his grave. Some examples of severity dispersed the enthusiasts that collected around it: and in a few weeks the doctrines and the name of Fitz-Osbert were forgotten.[64]

Death of Leopold.

Richard had the satisfaction to survive his two great persecutors, the duke of Austria and the emperor of Germany. To save the lives of his hostages he had sent to the former, according to a preceding agreement, the princess of Cyprus, and his niece, the maid of Bretagne. Before they arrived, Leopold was dead. He had crushed his foot by a fall from his horse: a mortification

1194.

ensued: and on his death-bed, to obtain the benefit of absolution, he consented to release the hostages, and order the restitution of the money, which he had extorted from the English mo-

Of Henry.

narch.[65] Henry, for a while at least, enjoyed the fruit of his dishonesty. With Richard's ransom he raised a powerful army to prosecute his claim on the kingdom of Sicily. A torrent of Germans poured from the Alps into Italy: Apulia and Campania were overrun: and the Sicilians, to escape the ravages of a barbarous enemy, submitted by treaty to his authority. But the

[64] Hoved. 435. Diceto, 691. Gerv. 1591. Newbrig. v. 20, 21.

[65] How much had been received in all, is unknown. A portion was spent in building the walls of Vienna. But 4000 marks were offered to the hostages at their departure, to take to Richard. They refused the charge: lest, if any part should be lost or stolen during the journey, the king should compel them to make up the deficiency. Hoved. 436. Ep. Inn. Pap. i. ep. 230.

perfidious emperor laughed at the obligation of his word; put out the eyes of the son of Tancred (the father was dead); threw the queen Sybilla, her daughters, and the principal nobility into chains; and was followed into Germany by a long train of captives, and one hundred and fifty horses loaden with the most valuable spoils of the conquered provinces. But in a second expedition his cruelties excited the empress Constantia to join her countrymen against her husband. Besieged in a castle he condescended to seek a reconciliation, which in a short time was followed by his death. Like Leopold during life he had despised the dictates of his conscience and the papal excommunication: in death like him he acknowledged his injustice, and ordered the ransom of Richard to be restored. It is useless to add, that the restitution was easily eluded by his successor.[66] CHAP. VI.

It was Richard's fate to perish in an ignoble quarrel with one of his barons. A treasure had been discovered on the estate of Vidomar, viscount of Limoges: and though a part had been offered to satisfy the king, he demanded the whole. On the refusal of Vidomar, Richard besieged his castle of Chaluz; and contemptuously rejected the conditional offer of surrender made by the garrison. It chanced, as he rode round the walls in company with Marchadee, that an The king is wounded. 1199. March 26.

[66] Hoved. 424. 440. Gerv. 1597. Ep. Inn. i. ep. 230.

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arrow wounded him in the left shoulder. The signal for the assault was immediately given: the castle was taken by storm: and with the exception of Gourdon, the archer who had wounded the king, the captives were ordered to be hanged as robbers who had detained the property of their sovereign. An unskilful surgeon now extracted the head of the arrow; and symptoms of mortification soon warned the king of his approaching dissolution. He sent for his confessor, received the sacrament with sentiments of compunction, and ordering Gourdon into his presence, gave him his liberty with one hundred shillings to take him home. But Marchadee secretly detained the unhappy youth, and ordered him to be flayed alive. Richard expired in the forty-second year of his age. His body was buried at Fontevraud at the feet of his father: his lion-heart (the epithet had formerly flattered him), he bequeathed to the citizens of Rouen, in gratitude for their loyalty and attachment.[67]

And dies. Apr. 6.

His character.

To a degree of muscular strength which falls to the lot of few, Richard added a mind incapable of fear. Hence in the ancient annalists he towers as a warrior above all his contemporaries. Nor was this pre-eminence conceded to him by the christians alone. Even a century after his death his name was employed by the Saracen cavalier to chide his horse, and by the Saracen mo-

[67] Hoved. 449. Diceto, 705. Rigord. 42.

ther to terrify her children. But when we have given him the praise of valour, his panegyric is finished. His laurels were steeped in blood, and his victories purchased with the impoverishment of his people. Of the meanness to which he could stoop to procure money, and the injustices into which he was hurried by the impetuosity of his passions, the reader has found numerous instances in the preceding pages. To his wife he was as faithless as he had been rebellious to his father. If in a fit of repentance he put away his mistress, there is reason to believe that his reformation did not survive the sickness by which it was suggested.[68] CHAP. VI.

The only benefits which the nation received in return for the immense sums with which it had furnished the king in his expedition to Palestine, for his ransom from captivity, and in support of his wars in France, were two legislative charters. By one of these he established an uniformity of weights and measures throughout the realm: by the other he mitigated the severity of the law of wrecks. Formerly it had been held that by the loss of the vessel the original owner lost all right to his goods, which then became the property of the crown. Henry I. had granted that, if any man escaped alive, it should be considered no wreck: Henry II. added that, if even a beast escaped by which the owner might be discovered, And Laws.

[68] Joinville, 35. Hoved. 428.

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he should be allowed three months to claim his property. Richard now enacted, that if the owner perished, his sons and daughters, and in their default his brothers and sisters, should have a prior claim in preference to the crown.[63]

[63] Leg. Sax. 342. 349.

END OF VOL. II.

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